



ABSTRACT

Information Technology Department – Indian Telegraph Right of Way (RoW) Rules, 2016, notified by Government of India – Implementation in the State of Tamil Nadu - Tamil Nadu Telecom Infrastructure Policy, 2022 – Approved - Orders - Issued.

INFORMATION TECHNOLOGY (E1) DEPARTMENT

G.O.(Ms). No. 4

Dated : 25.01.2022

பிலவ, கை - 12

திருவங்ஞவர் ஆண்டு-2053

Read:

1. G.O.(Ms.) No.7, Information Technology Department, dated 12.02.2001.
2. G.O.(Ms.) No.2, Information Technology Department, dated 01.04.2002.
3. Letter No.237/IT/2002-7, Information Technology Department, dated 18.09.2002.
4. Indian Telegraph Right of Way Rules, 2016 notified by the Government of India in Gazette Notification No. GSR 1070(E), dated 15.11.2016.
5. G.O.(Ms.) No.1, Information Technology (B4) Department, dated 21.02.2018.
6. Indian Telegraph Right of Way (Amendment) Rules, 2021 notified by the Government of India in Gazette Notification No. GSR 749(E), dated 21.10.2021.

ORDER:

Telecom industry is pivotal in transforming the nation into a digital economy. Telecom Infrastructure plays a vital role in the world of communication. There is a tremendous upsurge in communication and broadband traffic and the usage of internet has increased multifold. This has necessitated new Telecom Infrastructure as well as upgradation of existing Telecom Infrastructure on a faster pace.

2. To establish Telecom Infrastructure, Telecom Infrastructure Providers (TSPs) need to apply for Right of Way (RoW) to the Competent Authorities and permissions were granted with certain conditions to establish, operate and maintain underground and overground telecommunication network such as Optical Fibre Cables, Mobile Towers.

3. In the Government Order 1st read above, consolidated guidelines were issued specifying the terms and conditions for the grant of centralised permission for the use of Right of Way (RoW) by any private or public sector applicant proposing to lay Optical Fibre Cables (OFCs) in Tamil Nadu. As per the Guidelines, the applicants (TSPs) had to pay annual track rent to the respective local bodies at the rates fixed in G.O.(Ms.) No.172, Revenue Department, dated 28.03.2000.

4. In the Government Order 2nd read above, Guidelines have been issued for installation of Base Stations consisting of Tower, Equipment Room and Generator Room, on roof-top or on the ground of premises and buildings belonging to Government of Tamil Nadu / Quasi Government / Public Sector Undertakings / Local Bodies / Private Lands and buildings. The guidelines permit to charge appropriate rent from the TSPs. In the Government letter 3rd read above, certain exemptions from set-back rules were granted to TSPs.

5. In the Gazette Notification 4th read above, the Department of Telecommunications, Ministry of Communications, Government of India had notified the Indian Telegraph Right of Way Rules, 2016 to regulate Underground Telegraph Infrastructure (Optical Fibre Cable) and Overground Telegraph Infrastructure (Mobile Towers).

6. In the Government Order 5th read above, enabling orders were issued by Government of Tamil Nadu for implementing the above Rules in the State for regulating the Underground/Overground Telecom Infrastructure. In the said G.O., it has been mentioned that the Principal Secretary to Government, Information Technology Department shall be the Dispute Resolution Officer, under the provisions of Indian Telegraph Right of Way Rules, 2016 and detailed guidelines will be issued by the Information Technology Department for the successful implementation of the Indian Telegraph Right of Way Rules, 2016.

7. In the Gazette Notification 6th read above, the Department of Telecommunications, Government of India has notified the Indian Telegraph Right of Way (Amendment) Rules, 2021 to regulate Underground Telegraph Infrastructure (Optical Fibre Cable) and Overground Telegraph Infrastructure (Mobile Towers).

8. Accordingly, the Government, after careful consideration and in consultation with other Departments, has formulated the Tamil Nadu Telecom Infrastructure Policy, 2022 in consonance with Indian Telegraph Right of Way Rules 2016. The objectives of the Policy are to develop a robust and secure State-of-the-art Telecommunication Network to provide seamless coverage especially in rural and remote areas and to provide seamless connectivity to the citizens by easing the process of application, approval and installation of telecom infrastructure.

9. The Government in Information Technology Department hereby issues the Tamil Nadu Telecom Infrastructure Policy, 2022 applicable to all existing and future Telecom Infrastructure, streamline the process of applications and granting of permission for installation of Mobile Towers, laying of Optical Fibre Cable and other Telecom Infrastructure in a time-bound manner. This will -

- increase mobile telecom penetration in rural areas,
- provide reliable, affordable, high-quality telecommunication and internet services to the citizens,
- provide high speed and high-quality broadband access to the rural areas,
- encourage adoption of green and citizen friendly telecom sites.

10. The summary of features / provisions of the Policy are stated below (refer to the policy document for exact provisions):

- The Principal Secretary to Government, Information Technology Department shall function as **Dispute Resolution Officer**, under the provisions of Indian Telegraph Right of Way Rules, 2016.
- **Appropriate Authority** is the State Government, local authority or such authority, body, company or institution incorporated or established by the State 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 Appropriate Authority.

- **Nodal Officer** is the officer designated by every Appropriate Authority including local bodies for processing the application under this policy and sending the recommendations to the District Nodal Officer.
- In respect of Greater Chennai Corporation, the Commissioner of Corporation and in respect of Districts other than Chennai, the District Collectors shall be the **District Nodal Officers** and shall be solely empowered to issue the permission in their respective jurisdictions under this policy based on recommendations of the **Nodal Officers** under the geographical jurisdiction of the District Nodal Officer.
- **Charges/fee** to be levied for giving RoW permission have been fixed as follows:
 - For laying Underground Telegraph Infrastructure, every application under sub-section of (1) of Section 7 of this Policy shall be accompanied by a non-refundable fee of **Rs.1000/- per Kilometre** or part thereof exclusive of taxes.
 - For establishing Mobile Tower (Overground Telegraph Infrastructure), every application under sub-section of (1) of Section 11 of this Policy shall be accompanied by a one-time non-refundable fee **Rs.10,000/- per Tower**.
 - For establishing Overground Telegraph/Optical Fibre Cable line, every application under sub-section of (1) of Section 11 of this Policy, shall be accompanied by a one-time non-refundable fee of **Rs.1000/- per Kilometre** or part thereof exclusive of taxes.
 - In case of each Wi-Fi antenna or Micro Cell unit with utility box attached to Micro Cell installed on any public land or building including Bus, Shelters, Light Pole, Public Places or other Government premises and Cell-on-Wheels (CoW), a **one-time fee of Rs.1000/-** exclusive of taxes per installation shall be payable.
 - No fee and charges shall be recovered from the Government Departments for establishing Telecommunication System including towers/poles for their use.
 - In line with the Indian Telegraph Right of Way Rules, 2016, no track rent (one-time or annually) shall be charged by any District Nodal Officer or Appropriate Authority for grant of any permission under any existing Government orders issued by Revenue & Disaster Management, Rural Development & Panchayat Raj and Municipal Administration & Water Supply departments.
- **Application Process and Deemed Clearance:**
 - The District Nodal Officer shall, within a period not exceeding 60 calendar days from the date of application, grant permission (or) reject the application for specific reasons/deficiencies to be recorded in writing.
 - No application shall be rejected unless the applicant has been given an opportunity of being heard on the reasons/deficiencies for such rejection.
 - RoW permission shall be deemed to have been granted if the District Nodal Officer fails to grant permission or reject the application within 60 calendar days of the date of application.

- In case of rejection within 60 calendar days, the applicant has to correct the deficiencies and resubmit the application at the earliest. If the resubmitted application is not approved within 30 calendar days from the date of resubmission, permission shall be deemed to have been granted. The deemed permission shall be communicated to the applicant electronically from single window immediately.
- In case of resubmission of the same application by the same applicant with desired corrections to address / mitigate the reasons/deficiencies pointed out in the first rejection, the application cannot be rejected again for any of new reasons/deficiencies that were not listed in the first rejection. No new fee/charges shall be levied in case of resubmission of application for same Underground Telegraph Infrastructure.
- The provision of deemed approval shall not be applicable for Overground Telegraph Infrastructure established prior to the coming into effect of this policy.
- **Ensuring Public Convenience/safety and Inspections:**
 - It shall be ensured that prior to the commencement of work, measures to mitigate public inconvenience and provisions for public safety are implemented in consonance with various State/Central Acts/Rules.
 - The Appropriate Authority shall have the right to inspect the site at all times without any prior notice to supervise the execution of work to ascertain if the conditions imposed in the grant of permission is being complied with by the applicant.
- **Regularisation of existing telecom infrastructure:**
 - Wherever permissions have already been granted or was deemed to be granted under erstwhile orders, the same shall hold good and no fresh permission will be required under this policy.
 - However, all the existing Telegraph Infrastructure wherein either formal permission has not been issued or deemed to be granted, shall be regularised upon the submission of application in FORM-I and/or FORM-II as annexed to this policy, along with information and documents as specified therein and after the payment of prescribed fee under this policy. Such application shall be submitted within six months of issue of this Policy, after which the said Mobile Towers/Cable or OFC (underground/overground) shall be deemed as unauthorized.
- **State Level and District Level Telecom Committees:**
 - A **State Level Telecom Committee (SLTC)** under the Chairmanship of Chief Secretary, shall be formed to resolve the issues arising due to escalation by the Telecom Infrastructure Company or referred by Dispute Resolution Officer.
 - A **District Level Telecom Committee (DLTC)** under the Chairmanship of District Collector/Commissioner of Greater Chennai Corporation, shall be formed to resolve all issues within a period of thirty calendar days of

initial receipt of reference by the DLTC. The reference may arise due to escalation by the Telecom Infrastructure Company or referred to District Level Telecom Committee by the Dispute Resolution Officer.

11. The Tamil Nadu Telecom Infrastructure Policy, 2022 has been issued with the concurrence of stakeholder departments, i.e., Energy, Environment, Climate Change & Forests, Revenue & Disaster Management, Highways & Minor Ports, Rural Development & Panchayat Raj, Housing & Urban Development, Finance, Law, Municipal Administration & Water Supply and Public Works and Water Resources Departments. The Policy document is annexed with this Order.

12. This order is issued with the concurrence of Finance Department vide its U.O.No.3117/Finance(Industries)/2022 dated 25.01.2022. This Order comes into force with effect from 25.01.2022.

(By Order of the Governor)

**NEERAJ MITTAL
PRINCIPAL SECRETARY TO GOVERNMENT**

To

All Departments of Secretariat, Secretariat, Chennai-600 009.

All Heads of Departments under Departments of Secretariat,
Government of Tamil Nadu.

All Districts Collectors, Government of Tamil Nadu.

The Commissionerate of Municipal Administration,
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The Director of Rural Development and Panchayat Raj,
Panagal Building, Chennai – 600 015.

The Commissioner, Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

The Managing Director,
Electronics Corporation of Tamil Nadu Limited (ELCOT),
692, MHU Complex, Anna Salai, Nandanam, Chennai –600 035.

The Director General,
Digital Infrastructure Providers Association (DIPA),
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The Deputy Director General (Rural), Office of the Advisor TNLSA,
Department of Telecommunications, Government of India,
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The Chief General Manager, Bharat Sanchar Nigam Limited (BSNL),
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The Cellular Operators Association of India (COAI),
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Copy to:

The Special Personal Assistant to Hon'ble Chief Minister,
Chief Minister's Office, Secretariat, Chennai – 600 009.

The Special Personal Assistant to Hon'ble Minister for Information Technology,
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The Personal Assistant to Hon'ble Minister for Environment, Climate Change,
Youth Welfare and Sports Development, Secretariat, Chennai – 600 009.

The Personal Assistant to Hon'ble Minister for Finance and Human Resource
Management, Secretariat, Chennai – 600 009.

The Personal Assistant to Hon'ble Minister for Electricity, Prohibition & Excise,
Secretariat, Chennai – 600 009.

The Personal Assistant to Hon'ble Minister for Forests, Secretariat, Chennai – 600 009.

The Personal Assistant to Hon'ble Minister for Rural Development,
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The Personal Assistant to Hon'ble Minister for Housing and Urban Development,
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The Personal Assistant to Hon'ble Minister for Law, Secretariat, Chennai – 600 009.

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The Personal Assistant to Hon'ble Minister for Municipal Administration,
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SF/Sc

// Forwarded / By Order //

R.D.Balaji
25/01/2022
Section Officer.
25/1/22

ANNEXURE TO
G.O.(Ms.) No.4, Information Technology (E1) Department, dated 25.01.2022



GOVERNMENT OF TAMIL NADU

Tamil Nadu Telecom Infrastructure Policy, 2022

**INFORMATION TECHNOLOGY DEPARTMENT,
SECRETARIAT, CHENNAI – 600 009.**

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**GOVERNMENT OF TAMIL NADU
INFORMATION TECHNOLOGY DEPARTMENT**

**TAMIL NADU TELECOM INFRASTRUCTURE
POLICY, 2022**

CHAPTER I

ABSTRACT

Telecom Infrastructure plays a vital role in the world of communication in providing G2G, G2B and G2C services. The importance of telecom services has grown manifold as several organizations have adopted e-learning, e-services, Over-The-Top (OTT) platforms, e-Commerce and e-Governance etc. All this has led to tremendous upsurge in broadband traffic and the internet usage. To cope up with the increased traffic, the telecom network capacity will have to be enhanced quickly through addition of New Telecom Infrastructure (Telecom Towers / Optical Fibre Cable) and upgradation of existing Telecom Infrastructure on a faster pace.

India has emerged as a key driver of economic and social development and with increasing pace of communication, the State of Tamil Nadu which is home to more than 7.21 crore people shall play a significant role. The State Government is leveraging Telecommunication Network in delivering Smart Governance to its citizens.

To have a level playing field, Tamil Nadu needs to encourage the creation of robust Telecom Infrastructure, if it has to retain the competitive advantage. Tamil Nadu can be the economic powerhouse by riding on next generation 5G and other technologies.

In the year 2002, the Government of Tamil Nadu issued guidelines for installation of Mobile Tower Infrastructure in Government/Private land and Buildings. Ministry of Communications, Department of Telecommunications, Government of India in the year 2013 directed the State Governments to streamline the procedural requirements for the purposes of installation of

Telecom Infrastructure in line with the Guidelines issued by the Department of Telecommunications (DoT), Government of India. Subsequently, the Government of India has notified the Indian Telegraph Right of Way Rules, 2016 which has been amended by Indian Telegraph Right of Way (Amendment) Rules, 2021.

Considering the importance of improving the Tele Density in the State, Government of Tamil Nadu decided to implement the above Rules in the State and passed orders in G.O (Ms) No.1, Information Technology (B4) Department, dated 21.02.2018, wherein it has been mentioned that detailed guidelines will be issued for the implementation of Indian Telegraph Right of Ways Rules, 2016 regulating the Underground/Overground Telegraph Infrastructure in Public/Private areas/Buildings and amendments thereto, if any required, in consultation with the concerned Departments.

Now, in consonance with Indian Telegraph Right of Way Rules 2016, the Tamil Nadu Telecom Infrastructure Policy, 2022 has been formulated to ensure that Tamil Nadu plays its role effectively and transforms the socio-economic scenario through accelerated equitable and inclusive economic growth by laying special emphasis on providing affordable and quality telecommunication services in rural and remote areas.

The thrust of the policy is to ensure that good network and connectivity will lead to sustained growth and adoption of Emerging Technologies like Artificial Intelligence, Blockchain, Big Data, Internet of Things (IoT) to help in overcoming developmental challenges in education, health, employment generation and financial inclusion.

Objectives

To address the increasing mobile data and consumer base, Tamil Nadu needs to establish a robust infrastructure which primarily includes installation of Mobile Towers, laying of Optical Fibre Cables leading to reliable and fast connectivity. The policy will quicken the roll-out of Telecom Infrastructure in the State by easing the process of application, approval, and installation of telecom infrastructure. The objectives of the policy are as follows:

- To develop a robust and secure State-of-the-art Telecommunication Network to provide seamless coverage especially in rural and remote areas.
- To provide citizens with seamless connectivity over the entire State.
- To provide single window clearance for approvals.

The Government of Tamil Nadu now issue the Tamil Nadu Telecom Infrastructure Policy, 2022 herein applicable to all Telecom Infrastructure that is existing and is likely to be created in future. The goals are:

- To streamline the process of applications and granting of permission for installation of mobile towers, laying of Optical Fibre Cable and other Telecom infrastructure in a time bound manner.
- To increase telecom penetration to every Gram Panchayat.
- To provide reliable, affordable, high-quality telecommunication and internet services to the citizens.
- To provide high speed and high-quality broadband access to the rural areas.
- To encourage adoption of green and citizen friendly telecom sites.

1. Short title, extent and commencement

- (1) This Policy may be called the Tamil Nadu Telecom Infrastructure Policy, 2022.
- (2) It shall extend to the whole of the State of Tamil Nadu.
- (3) It shall come into force from the date of issue of Government Order.
- (4) It shall be administered by the Information Technology Department, Government of Tamil Nadu.
- (5) This Policy shall not be in violation or supersession of the provisions contained in the Indian Telegraph Act, 1885 (Central Act 13 of 1885), Tower Guidelines issued by Department of Telecommunications, 2013, Indian Wireless Telegraphy Act, 1933 (Central Act 17 of 1933) and Indian Telegraph Right of Way Rules, 2016 in any way.

2. Definitions

- (1) In this Policy, unless the context otherwise requires, –
 - (a) “**Act**” means the Indian Telegraph Act, 1885 (Central Act 13 of 1885).
 - (b) “**applicant**” means Telecom Service Provider (TSP) who makes an application seeking permission to establish and maintain the Telecom Infrastructure.
 - (c) “**application**” means the application for Single Window clearance for the establishment and maintenance of Telecom Infrastructure.
 - (d) “**Appropriate Authority**” means the State Government, local authority or such authority, body, company or institution incorporated or established by the State 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 Appropriate Authority.
 - (e) “**Dispute Resolution Officer**” is the Principal Secretary, Information Technology Department, Government of Tamil Nadu.
 - (f) “**District Nodal Officer**” - In respect of Greater Chennai Corporation, the Commissioner of Corporation and in respect of Districts other than Chennai, the District Collectors shall be the District Nodal Officers and shall be solely empowered to issue the permission in their respective jurisdictions under this Policy based on recommendations of the Nodal Officers under their jurisdiction.
 - (g) “**Form**” means the forms appended to the policy.
 - (h) “**Infrastructure Provider**” means Infrastructure Providers registered with Department of Telecommunications to set-up Telecom Infrastructure in India.
 - (i) “**licensee**” means any person holding a licence issued under section 4 of the Act.
 - (j) “**Nodal Officer**” is an officer designated by every Appropriate Authority including local bodies for processing the application under

this Policy and sending the recommendations to the District Nodal Officer.

- (k) "**Overground Telegraph Infrastructure**" means Mobile Towers or Telegraph Line or Optical Fibre Cable established over the ground and includes the Poles, Posts, Telegraph Infrastructure and other over the ground contrivances, appliances and apparatus for the purpose of establishment or maintenance of the telegraph or the Telegraph line.
- (l) "**Policy**" means the Tamil Nadu Telecom Infrastructure Policy, 2022
- (m) "**State Government**" means the Government of Tamil Nadu having jurisdiction and includes the administration.
- (n) "**Telecom Infrastructure**" means and includes –
 - i. Overground Telegraph Infrastructure such as Telecommunication Cell Site or Base Station 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 is necessary;
 - ii. Ground Based Tower, Ground Based Mast/Monopole, Roof Top Tower, Roof Top Pole;
 - iii. Cell Phone Tower, Micro Cell Tower, Antenna fixtures, fabricated antenna, tower to install telephone lines and Wi-Fi antenna;
 - iv. Prefabricated or masonry structure shelters or installation of Base Transceiver Station as per rule 62 of Tamil Nadu Combined Development and Building Rules, 2019 and other equipments;
 - v. Ducts, Telegraph line, Optic Fibre Cable, cabling on the Poles or Electric Poles and Underground Telegraph Infrastructure;
 - vi. In Building Solution and Micro Communication Equipment (Micro Cell) or any other appliances, apparatus, necessary for the effective establishment and maintenance of telecom services; and
 - vii. Cell-on Wheels:

Provided that the Telecom Infrastructure, for the purpose of the policy shall not include Television Antennas or Dish Antennas or Cable TV installed for domestic purpose:

Provided further that Cell-on-Wheels and any temporary infrastructure for managing events/festivals/fares of short duration (maximum ninety calendar days), or to give coverage to blank areas, shall not be included in Telecom Infrastructure for the purpose of this Policy and no formal permission is required for installation of such temporary infrastructure.

- (o) "**Telecom Service Provider (TSP)**" means a licensee providing telephony services, including, *inter alia*, mobile phone services, internet and data transfer services.
 - (p) "**Underground Telegraph Infrastructure**" means a Telegraph Line or Optical Fibre Cable laid under the ground and includes manholes, marker stones, appliances and apparatus, for the purpose of establishment or maintenance of the Telegraph or Optical Fibre Cable line.
- (2) Words and expressions used and not defined but defined in the Act shall have the meanings assigned to them in the Act.

3. Applicability

The Appropriate Authority shall exercise the powers under this Policy on an application for establishment and maintenance of Telecom Infrastructure by any applicant. This Policy shall be applicable to all appropriate authorities within the State of Tamil Nadu including the various Development authorities, Industrial Development authorities, other Statutory Authorities and the local bodies including Greater Chennai Corporation, Municipal Corporations, Municipalities, Town Panchayats and Village Panchayats.

4. Validity of the permission

The RoW permission issued under this Policy to any applicant shall be co-terminus with validity of License/Registration Certificate issued by Department of Telecommunications.

5. Nodal Department and Nodal Agency

The Information Technology Department, Government of Tamil Nadu, shall be the Nodal Department for implementation of the policy. Electronic Corporation of Tamil Nadu Limited (ELCOT) under the control of Information Technology Department shall function as Nodal Agency for implementation of Single Electronic Application Process for Right-of-Way Permissions in the State. To overcome the difficulties in the implementation of the Policy, necessary interpretations, clarifications or instructions will be issued from time to time by Information Technology Department.

6. Authority for issuing permission for Telecom Infrastructure

The authority for issuing permission for Telecom Infrastructure is the District Nodal Officer who will receive and scrutinise the applications and issue permission in their respective jurisdiction for establishment of Telecom Infrastructure.

CHAPTER II

ESTABLISHMENT AND MAINTENANCE OF UNDERGROUND TELEGRAPH INFRASTRUCTURE

7. Application submitted by an applicant

- (1) The State Government or the Nodal Department may at its discretion establish a single Electronic Application Process which is integrated with various payment gateways for collection of fees / charges as applicable, for all appropriate authorities through Electronics Corporation of Tamil Nadu Limited (ELCOT), within a period of 12 months from the date of issue of the Policy for submission and process of application.
- (2) Till such application process is developed, the applicant shall, for the purpose of establishment of Underground Telegraph Infrastructure under any immovable property vested in or control or management of any Appropriate Authority, make a paper application in **FORM-I**, supported by such documents, to the District Nodal Officer in the form and manner as specified in the Policy.
- (3) The information along with supporting documents to be provided by the applicant in the application made under in sub-section (1) under section 7 of the policy shall include –
 - (i) a copy of License/ Registration Certificate granted by the Department of Telecommunication,
 - (ii) the details of Underground Telegraph Infrastructure proposed to be laid,
 - (iii) the mode and time duration for execution of the work,
 - (iv) the time and day when the work is expected to be done in case the applicant expects the work to be done during specific time of the day,

- (v) the details of expenses that such Appropriate Authority will necessarily be put in consequences of the work proposed to be undertaken by the applicant,
- (vi) the inconvenience that is likely to be caused to the public and the specific measures proposed to be taken to mitigate such inconvenience,
- (vii) the specific measures proposed to be taken to ensure public safety during the execution of the work.
- (viii) any other matter relevant, in the opinion of the applicant, connected with or related to the work proposed or to be undertaken, and
- (ix) any other information related to the work as may be specified, through a general or special order by the Central Government or Government of Tamil Nadu or Appropriate local authority:

Provided that the applicant shall, while making the application, give a specific commitment on discharging the responsibility for restoration or deposit restoration charges with Appropriate Authority as the case may be, for the damage that the Appropriate Authority shall necessarily be put in consequence of the work proposed to be undertaken.

8. Grant of permission by District Nodal Officer

- (1) The District Nodal Officer shall assess the appropriate authorities involved on the proposed route and send the applications received to the concerned Nodal Officer of the Appropriate Authority to examine the application 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, maintenance, working, repairing, transferring or shifting of such Underground Telegraph Infrastructure, 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 the day that the work is proposed to be executed.
 - (d) The estimate of expenses that the Appropriate Authority shall necessarily be put in consequence of the work proposed to be undertaken.
 - (e) The responsibility of restoration of any damage and payment of restoration charge.
 - (f) Proposed measures to ensure public safety and inconvenience that the Appropriate Authority may necessarily be put in consequence of the work proposed.
 - (g) Any other matter, consistent with the Act and this Policy, connected with or relative to the establishment or maintenance of Underground Telegraph Infrastructure, through a general or specific order that may be issued by the Central Government, Government of Tamil Nadu or the Appropriate Local Authority from time to time.
- (2) The District Nodal Officer shall, within a period not exceeding sixty calendar days from the date of application made under section 7 of the policy –
- (a) Grant permission on such conditions on the time, mode of execution, measures to mitigate public inconvenience or enhance public safety and given a specific commitment on whether the applicant undertakes to discharge the responsibility for restoration of the damage as fixed by the Appropriate Authority that the Appropriate Authority shall necessarily be put to in consequence of the work proposed to be undertaken, or
 - (b) Reject the application for specific reasons/deficiencies 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/deficiencies for such rejection:

Provided further that the permission shall be deemed to have been granted if the District Nodal Officer fails to grant permission under clause (a) or reject the application under clause (b) within sixty calendar days of application under section 7. In case of rejection within sixty calendar days, the applicant has to correct the deficiencies and resubmit the application at the earliest. If the resubmitted application is not approved within 30 calendar days from the date of resubmission, permission shall be deemed to have been granted. The deemed permission shall be communicated to the applicant electronically from single window immediately;

(c) In case of resubmission of the same application by the same applicant with desired corrections to address / mitigate the reasons/deficiencies pointed out in the first rejection under clause (b), the application cannot be rejected again for any of new reasons/deficiencies that were not listed in the first rejection under clause (b). No new fee/charges shall be levied in case of resubmission of application for same Underground Telegraph Infrastructure.

(3) Where the Appropriate Authority accepts the undertaking by the applicant to discharge the responsibility to restore the damage that such Appropriate Authority shall necessarily be put in consequence of the work, the Appropriate Authority, while granting permission under clause (a) of sub-section (2), may seek a bank guarantee for an amount of Rs.100/- per running meter (Rs.1,00,000/- per Kilometre) in lieu of expenses for restoration of such damage, as security for performance in the discharge of the responsibility. Unless notified of the specific damage caused, if any, by the Appropriate Authority to the

applicant, the bank guarantee shall be returned to the applicant within a period of thirty calendar days of information of completion of work by the applicant to the Appropriate Authority.

- (4) In case the Appropriate Authority does not accept restoration by the applicant, the applicant shall pay the restoration fee prior to execution of work to the Appropriate Authority as fixed by it as per its approved schedule of rates.
- (5) The Appropriate Authority shall not charge any fee in any form, including annual track rent, except those prescribed under sections 8 and 15 from the applicant for establishing, maintaining, working, repairing, transferring or shifting of Underground Telegraph Infrastructure.

9. Obligations of applicant in undertaking work

- (1) The applicant shall make the payment of restoration charges or submit that Bank Guarantee as the case may be and as determined by the Appropriate Authority within a period of thirty calendar days from the date of grant of permission by District Nodal Officer and prior to the commencement of work of laying the Underground Telegraph Infrastructure:

Provided that the Appropriate Authority may, at its discretion, extend the said period for payment of restoration charges or submission of Bank Guarantee on an application made by the applicant seeking such extension.

Appropriate Authority/Local body should mandatorily provide all the information regarding the other pre-existing underground utilities including Underground Telegraph Infrastructure to the applicant so that damage of these utilities can be avoided by the applicant.

- (2) The applicant shall ensure that –

- (a) Prior to the commencement of work of laying the Underground Telegraph Infrastructure and at all times during the extension of

work, measures to mitigate public inconvenience and provide for public safety are implemented in consonance with various State/Central Acts/Rules.

- (b) The work of laying the Underground Telegraph Infrastructure is carried out in accordance with the conditions specified in the grant of permission by the Appropriate Authority.
- (3) The applicant shall ensure provision of positional intelligence, through appropriate technology in all Underground Telegraph Infrastructure to enable the Appropriate Authority to obtain real-time information of its location.

10. Powers of Appropriate Authority to supervise the work

- (1) The Appropriate Authority may, through a written authorisation ask to supervise the execution of work to ascertain if the conditions imposed in the grant of permission under clause (a) of sub-section (2) of section 8 are being complied with by the applicant.
- (2) The Appropriate Authority may, based on such supervision, impose such other reasonable conditions as it may think fit.
- (3) If the Appropriate Authority/Nodal Officer concludes that the applicant has wilfully violated any of the conditions of grant of permission under clause (a) of sub-section (2) of section 8, or having regard to emergent and expedient circumstances, withdraw the permission granted to the applicant, for reasons to be recorded and conveyed to the applicant in writing:

Provided that no action shall be taken under this sub-section unless the applicant has been given an opportunity of being heard by such Appropriate Authority.

- (4) Officials nominated by the District Nodal Officer / Nodal Officer / Appropriate Authority shall have the right to inspect the site at all times without any prior notice.

CHAPTER III

ESTABLISHMENT AND MAINTENANCE OF OVERGROUND TELEGRAPH INFRASTRUCTURE

11. Application submitted by an applicant

- (1) The State Government or the Nodal Department may at its discretion establish a single Electronic Application Process which is integrated with various payment gateways for collection of fees / charges as applicable, for all appropriate authorities through Electronics Corporation of Tamil Nadu Limited (ELCOT), within a period of 12 months from the date of issue of the policy for submission and process of application.
- (2) Till such application process is developed, the applicant shall, for the purpose of establishing Overground Telegraph Infrastructure, i.e. Mobile Towers and Telegraph / Optical Fibre Cable line, upon any immovable property vested in or under the control or management of any Appropriate Authority, make a paper application in **FORM - II**, supported by such documents, to the District Nodal Officer in the form and manner as specified in this Policy.
- (3) The Overground Telegraph Infrastructure shall be permitted in any zone irrespective of its land use/occupancy on the building including but not limited to the premises of:
 - (a) All institutional/Government buildings/hospitals excluding sub-stations.
 - (b) All residential buildings including Multi Storied Buildings / Group Housing Complexes.
 - (c) Buildings used for Industrial and Commercial purposes.
 - (d) All kind of vacant lands like parks, playgrounds, forest land and land earmarked for public amenities, hospitals or schools or playgrounds.

- (e) On street light poles and other structures but exclude structures/poles meant for electricity supply.

The Overground Telegraph Infrastructure shall not be permitted in OSR/setback. Likewise, Overground Telegraph Infrastructure shall not be located either within a heritage precinct or on a heritage building listed for conservation as notified by the concerned competent authority.

- (4) The information along with supporting documents to be provided by the applicant in the application for establishing Overground Telegraph Infrastructure (Mobile Towers / Overground Telegraph lines / Optical Fibre Cables), made under sub-section (2) shall include, –
 - (i) a copy of relevant License/ Infrastructure Provider Registration Certificate granted by the Department of Telecommunications;
 - (ii) the data sheet shall contain the (a) Type of Service, (b) Name of Infrastructure Provider, (c) Location, (d) Tower Reference such as Height, weight, Ground/Roof Top, Pole/Wall mounted;
 - (iii) the extent of land required for establishment of the Overground Telegraph Infrastructure;
 - (iv) the details of building or structure, where the establishment of the Overground Telegraph Infrastructure is proposed;
 - (v) the mode and time duration for execution of the work;
 - (vi) acknowledgement issued by DoT Field Unit of Tamil Nadu License Service Area (TN LSA) presently functioning at Chennai and Coimbatore for the submission of the self-certificate by the applicant. (In respect of Mobile Tower/Base Transceiver Station (BTS) for 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). This can be submitted within ninety calendar days after radiating the tower;

- (vii) copy of Standing Advisory Committee on Radio Frequency Allocation (SACFA) clearance / copy of SACFA application for the said location submitted to Wireless Planning & Coordination (WPC) Wing of Department of Telecommunications (DoT) with registration number as WPC acknowledgement along with an undertaking that, in case of any objection/rejection, the applicant will take corrective actions or remove the Tower as required. The copy can be submitted to the District Nodal Officer as soon as the location is finalized, and the Tower starts radiating;
- (viii) copy of the Type Test Certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the Diesel Generator (DG) Sets, in case the capacity of the DG is above 1 MVA;
- (ix) copy of No Objection Certificate (NOC) from Building Owners / entities having roof-top rights or roof-top tenants in case of Roof Based Tower / from the owner of building in case of Ground Based Tower, as the case may be;
- (x) copy of Clearance from the owner of premises issued by Directorate of Fire and Rescue Services in case for high-rise building of height exceeding 12m and where fire clearance is mandatory;
- (xi) for Forest/ Protected area, the copy of clearances from State Environment, Climate Change & Forest Department;

- (xii) the inconvenience that is likely to be caused to the public and specific measures proposed to be taken to mitigate such inconvenience.
- (xiii) the measures proposed to be taken to ensure public safety during the execution of the work such as danger sign boards;
- (xiv) copy of Structural Stability Certificate for Ground Based Towers. In case of Roof Top BTS towers, Structural Stability Certificate for the building and tower, based on written approval on any authorized Structural Engineer of State (Grade 1 registered with Local Planning Authority or local body)/ Central Building Research Institute (CBRI), ROORKEE / Indian Institute of Technology (IIT)/National Institute of Technology (NIT)/Anna University or any other Agencies authorized by the State Government from time to time;
- (xv) copy of clearance from Electrical Inspectorate, if applicable. If not applicable, a self-certification to this effect will suffice;
- (xvi) copy of clearance from Local Bodies, if the Overground Telegraph Infrastructure is to be erected in the walls and pillars of Local Bodies;
- (xvii) copy of clearance of Airforce/Civil Aviation, only if Overground Telegraph Infrastructure exceeds height restrictions or are in restricted areas specified by these agencies;
- (xviii) any other details sought for in connection with or relevant to the work as may be specified, through a general or special order, by the Central Government or the Government of Tamil Nadu from time to time:

Provided that the documents mentioned in clauses (ii), (iii), (iv), (vi), (vii), (viii), (ix), (x) and (xiv) shall not be required in

case of application made for establishment of Overground Telegraph Infrastructure:

Provided further that the documents related to route plan for establishment of Overground Telegraph / Optical Fibre Cable line shall be required to be provided by the licensee with the application made for establishment of Overground Telegraph / Optical Fibre Cable line.

12. Grant of permission by District Nodal Officer

- (1) The District Nodal Officer shall send the application received from the applicant to the Nodal Officer of the Appropriate Authority to examine the application with respect to the parameters and restrictions thereon namely:
 - (a) Except as hereinafter provided, there shall be no restriction in placing of a tower at any location merely because it is being placed on a Government building or schools or hospitals or non-residential or residential areas;
 - (b) The extent of land required for the Overground Telegraph Infrastructure;
 - (c) The location proposed;
 - (d) The estimate of expenses that the Appropriate Authority shall necessarily be put in consequence of the work proposed to be undertaken, only if applicable for Overground Telegraph Infrastructure;
 - (e) Measures to mitigate inconvenience that the public is likely to be put to in consequence of the establishment, maintenance, working, repairing, transferring or shifting of the Overground Telegraph Infrastructure, if applicable.
 - (f) Any other matter, consistent with the provision of this Policy, connected with or related to the laying of Overground Telegraph Infrastructure, through a general or specific order or

guidelines by the Central Government or State Government as may be issued from time to time:

Provided that the parameters mentioned in clauses (b) and (c) shall not be necessary for examination of the application made for establishment of Overground Telegraph Infrastructure:

Provided further that the Appropriate Authority shall examine the route plan for the proposed Overground Telegraph Infrastructure and the possible interference in regard to the establishment or maintenance of such Overground Telegraph Infrastructure with regard to any other public infrastructure that may have been laid along the proposed route.

(2) The District Nodal Officer shall within a period not exceeding sixty calendar days from the date of application made under section 11,

(a) Grant permission on such conditions including, but not limited to, the time, mode of execution, measures to mitigate public inconvenience or enhance public safety or structural safety, subject to the provisions of the Act and the Policy, or

(b) 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 by the Appropriate Authority on the reasons/deficiencies for such rejection:

Provided further that the permission shall be deemed to have been granted if the Appropriate Authority fails to either grant permission under clause (a) or reject the application under clause (b) within sixty calendar days of application under section 11. In case of rejection within sixty calendar days, the applicant has to correct the deficiencies and resubmit the application at the earliest. If the resubmitted application is not

approved within thirty calendar days from the date of resubmission, permission shall be deemed to have been granted. The deemed permission shall be communicated electronically from single window immediately. The provision of deemed approval shall not be applicable for Overground Telegraph Infrastructure established prior to the coming into effect of this Policy.

- (c) In case of resubmission of the same application by the same applicant with desired corrections to address/mitigate the reasons/deficiencies pointed out in the first rejection under clause (b), the application cannot be rejected again for the any new reasons/deficiencies that were not listed in the first rejection under clause (b). No new fee or charges shall be levied in case of resubmission of application for same Overground Telegraph Infrastructure.
- (d) The Appropriate Authority shall not charge any fee in any form including annual track rent except those mentioned under section 15 as applicable, from the applicant for establishing, maintaining, working, repairing, transferring, or shifting of Overground Telegraph Infrastructure.

13. Obligations of applicant in undertaking work

- (1) The applicant shall ensure –
 - (a) Sharing of towers between multiple Mobile Tower Companies shall be adhered to and the towers can be shared between any number of operator companies;
 - (b) Prior to commencement of establishing, maintaining, working, repairing, transferring or shifting of Overground Telegraph Infrastructure and at all times, the measures to mitigate public inconvenience and ensure public safety, including structural

safety of such Overground Telegraph Infrastructure are implemented;

- (c) The work of establishing, maintaining, working, repairing, transferring or shifting of Overground Telegraph Infrastructure is carried out in accordance with the conditions specified in the grant of permission by the Appropriate Authority;
- (d) The Tower establishment should be in accordance to the Indian Telegraph Right of Way Rules, 2016 and with the Advisory Guidelines dated 1st August 2013 issued by the Department of Telecommunications. The applicant shall be required to abide by it, failing which suitable actions as deemed necessary shall be taken in this regard;
- (e) If any damage is caused to any person or property because of the Tower, Machine Room, Battery Equipment and other equipment erected by the applicant, the applicant shall be solely responsible for paying compensation / damage to the concerned and will be liable to face any Civil or Criminal proceedings;
- (f) Prior intimation of execution of work of at least seven calendar days to the local body and local electricity authority;
- (g) In case of violation of any statutory requirement or any conditions imposed by the District Nodal Officer, a show cause notice with time thirty calendar days will be issued to the applicant with specific grounds of violation/statutes listed therein on which applicant has to revert with the necessary clarifications. In case the clarification is not satisfactory, the Overground Telegraph Infrastructure shall be removed/sealed forthwith besides recovery of cost of removal/sealing and imposing of penalty.

14. Powers of Appropriate Authority to supervise the work

- (1) The Appropriate Authority may, through a written authorisation ask to supervise the establishment and maintenance of Overground Telegraph Infrastructure such as Towers and overground cables on posts and street light poles, to ascertain if the conditions imposed in the grant of permission under clause (a) of sub-section (2) of section 12 are observed by the applicant.
- (2) The Appropriate Authority may, on the basis of such supervision, impose such other reasonable conditions as it may think fit.
- (3) If the Appropriate Authority/Nodal Officer comes to the conclusion that the applicant has wilfully violated any of the conditions of grant of permission under clause (a) of sub-section (2) of section 12, or having regard to emergent and expedient circumstances, it may withdraw the permission, for reasons to be recorded in writing and be conveyed to applicant:
Provided that no action shall be taken under this sub-section unless the applicant has been given an opportunity of being heard by the Appropriate Authority.
- (4) Officials nominated by the District Nodal Officer/Nodal Officer/ Appropriate Authority shall have the right to inspect the site at all times without any prior notice.

CHAPTER IV

FEE AND OTHER CHARGES IN RESPECT OF INSTALLATION/LAYING TELEGRAPH INFRASTRUCTURE

15. Fee/Charges in respect of installation/laying of Telegraph Infrastructure

The applicant shall deposit application fee as specified in the policy below in respect of lands and buildings of Central/State Government or statutory or non-statutory bodies/institutions.

For Underground Telegraph Infrastructure

Every application under section 7 of the policy to establish Underground Telegraph Infrastructure shall be accompanied with a one-time non-refundable fee of Rs.1000/- per Kilometre or part thereof (exclusive of taxes) to meet administrative expenses for evaluation of the application and the proposed work and the amount shall be transferred to the local body concerned.

For Overground Telegraph Infrastructure

- (1) Every application under sub-section (1) of section 11 of the policy for the purpose of establishing a Mobile Tower, shall be accompanied with a one-time non-refundable fee of Rs.10,000/- per Tower (exclusive of taxes) to meet administrative expenses for examination of the application and the proposed work and the amount collected shall be transferred to the Appropriate Authority / local body concerned.
- (2) Further, every application under sub-section (1) of section 11 of the policy for the purpose of establishing Overground Telegraph/Optical Fibre Cable line, shall be accompanied with a one-time non-refundable fee of Rs.1000/- per Kilometre or part thereof exclusive of taxes. The amount shall be transferred to the concerned Appropriate Authority / local body having control over the immovable property over which the overground telegraph line is established.

- (3) In cases that are not covered by section 15(1) and section 15(2), a case where the establishment of the Overground Telegraph Infrastructure renders the immovable property (vested in the control or management of any Appropriate Authority over which such Overground Telegraph Infrastructure is established) unlikely to be used for any other purpose, the Appropriate Authority shall be entitled to claim compensation for the value of the immovable property either once or annually based on such rates as that Appropriate Authority may, by general orders specify.
- (4) No fee and charges shall be recovered from the Government Departments for establishing Telecommunication System including towers/poles for their use.
- (5) In case of each Wi-Fi antenna or Micro Cell unit with utility box attached to Micro Cell are installed on any public land or building including Bus, Shelters, Light Pole, Public Places or other Government premises, and Cell-on-Wheels (CoW), a one-time fee of Rs.1000/- (exclusive of taxes) per installation shall be payable to the concerned Appropriate Authority.
- (6) In line with the Indian Telegraph Right of Way Rules, 2016, no track rent (one-time or annually) shall be charged by any District Nodal Officer or Appropriate Authority for grant of any permission under any existing Government orders of annual track rent issued by Revenue & Disaster Management / Rural Development & Panchayat Raj or Municipal Administration & Water Supply Departments.

CHAPTER V

IN BUILDING SOLUTION (IBS)

This Policy intends to promote installation of In Building Solution, where there is a poor connectivity in terms of weak signal strength inside the Offices, shopping malls, Hospitals, Multi-Storey Buildings, Educational Institutions, and the objective is to strengthen quality of service of mobile network.

16. Mode of deployment of In Building Solution

There shall be various modes of deployment of In Building Solution such as:

- (a) The possible modes are deployment by a neutral host Infrastructure Provider or Built and managed by mobile operator and sharing with other service providers on non-discriminatory basis.
- (b) The In Building Solution deployed by IP-I (Infrastructure Provider Category-I) to be shared with Telecom Service Providers. For deploying indoor solutions, these companies will be requiring permissions from the building owners. Moreover, if these IP-I companies are required to install Optical Fibre for connecting In Building Solution / Distributed Antenna System nodes for which Right of Way / permissions will be required and shall be granted accordingly as provided under the Policy.

17. Permissibility

In Building Solution Component being a small equipment, can be installed on any type of land/building/utility pole and there is no need of getting permission for installation of these components from the Appropriate Authority, but it is required to get permission from the owner of the concerned building (applicable only for Government buildings). For private buildings, consent of the owner of the building will suffice.

18. Procedure for submitting application for obtaining clearance/NoC/Consent

The application may be made to the Administrative Authority of the Building/Head of the office with Layout Diagram for implementing In Building Solution in the building (applicable only for Government buildings). This will not be applicable to privately owned buildings.

19. Fees

There shall be no fee to be charged by Appropriate Authority for In Building Solution itself. However, charges can be mutually agreed and levied for provision of power, fixtures, etc. by the building owner and these charges will be paid by the TSP/IP installing the In Building Solution.

CHAPTER VI

RIGHT OF APPROPRIATE AUTHORITY TO SEEK REMOVAL OF UNDERGROUND OR OVERGROUND TELEGRAPH INFRASTRUCTURE

20. Right of Appropriate Authority to seek removal

- (1) Where the Appropriate Authority, having regard to circumstances which have arisen since the establishment of any Underground or Overground Telegraph Infrastructure under, over, along, across, in or upon, any immovable property vested in or under the control or management of that Appropriate Authority, considers that it is necessary and expedient to remove or alter such Underground or Overground Telegraph Infrastructure, it shall issue a notice to the applicant, being the owner of such Underground or Overground Telegraph Infrastructure, to remove or alter its location.
- (2) On receipt of the notice under sub-section (1), the applicant shall, forthwith and within a period of thirty calendar days, proceed to submit, to the Appropriate Authority, a detailed plan for removal or alteration of such Underground or Overground Telegraph Infrastructure.
- (3) The Appropriate Authority shall, after examination of the detailed plan submitted by the applicant under sub-section (2), pass such orders as it deems fit:

Provided that the Appropriate Authority shall, having regard to emergent and expedient circumstances requiring the removal or alteration of such Underground or Overground Telegraph Infrastructure, give a reasonable time of not less than sixty calendar days to the applicant for removal or alteration of such Underground or Overground Telegraph Infrastructure:

Provided further that the responsibility and liability, including the cost thereof, for removal or alteration of such Underground or Overground Telegraph Infrastructure shall be borne by the owner of the infrastructure.

CHAPTER VII

REGULARISATION OF EXISTING OVERGROUND OR UNDERGROUND TELEGRAPH INFRASTRUCTURE

21. Procedure for regularisation of existing Underground/Overground Telegraph Infrastructure

- (1) Wherever permissions have already been granted or was deemed to have been granted under erstwhile orders, the same shall hold good and no fresh permission will be required under this Policy. However, all the existing Underground/Overground Telegraph Infrastructure where either formal permission has not been issued or deemed to have been granted, shall have to be regularised by submission of application in FORM - I and/or FORM - II, along with information and documents as specified therein along with prescribed fee under this Policy. Such application shall have to be submitted within six months of issue of the Policy, after which the said Mobile Towers/cable or Optical Fibre Cable (Underground/Overground) shall be deemed as unauthorized.
- (a) In cases where applications for permission have been submitted under erstwhile orders, but no fees have been paid or documents as per erstwhile orders were not submitted and/or permission(s) have not been issued or deemed to be granted, then in such cases, documents required under FORM-I and/or FORM-II of this Policy and a one-time non-refundable fee of Rs.10,000/- per Tower (exclusive of Taxes) or non-refundable one-time fee of Rs.1000/- per KM of cable/Optical Fibre Cable (Underground/Overground) or part thereof as applicable may be submitted and permission shall be issued in accordance with this Policy. Earlier fees paid, if any, by the applicant shall be adjusted against the fee to be paid now under the Policy for regularisation.
- (b) In all other cases where no application has been made, the applicant, shall file application in FORM-I or/and FORM-II, as

applicable, annexed to the Policy along with documents and a one-time non-refundable fee of Rs.10,000/- per Tower (exclusive of Taxes) or non-refundable one -time of fee of Rs.1000/- per KM of cable/Optical Fibre Cable (underground / Overground) or part thereof as applicable, within six months from the date of issue of the Policy. Once the application is submitted, the operation of the Mobile Tower/Cables shall not be discontinued till disposal of the application.

- (c) For any existing Underground/Overground Telegraph Infrastructure in the State which has been abandoned by a telecom operator/infrastructure provider/applicant, the District Level Telecom Committee of the respective District shall have exclusive authority to take necessary action as deemed appropriate including issuing directions to the owner of the infrastructure to remove it at their cost.
- (d) Any application for regularization after six months of issue of the Policy shall entail additional penal fee of 100% of the charges specified in clause (a)/(b) above.

22. Safety and Security of Telegraph Infrastructure

- (i) Telecom Installations are infrastructure for Mobile Communications. To avoid disruption in the Mobile Communication, 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 DoT Field Unit of Tamil Nadu License Service Area (TN LSA) presently functioning at Chennai and Coimbatore in respect of the Electro Magnetic Field radiation related issues.
- (ii) Strict legal action by the respective law enforcement authorities shall be initiated against any wilful or negligent damage to the Underground/Overground Telegraph Infrastructure and causing interruption to the network connectivity.

CHAPTER VIII

DISPUTE RESOLUTION

23. Dispute between applicant and Appropriate Authority

Any dispute arising between applicant and Appropriate Authority in consequences of the policy, shall be referred to the Dispute Resolution Officer.

- (1) If the issues are related to Central Policy, Rules or Acts or any Department, the Dispute Resolution Officer may refer the dispute to the officer designated by the Central Government under rule 14 of the Indian Telegraph Right of Way Rules, 2016.
- (2) The Dispute Resolution Officer may ordinarily dispose the dispute within ninety calendar days of referral of dispute.

24. State Level and District Level Telecom Committee

State Level Telecom Committee (SLTC) - Under the Chairmanship of Chief Secretary, a State Level Telecom Committee shall be formed to resolve the issues arising due to escalation by the Telecom Infrastructure Company or referred by Dispute Resolution Officer. The Committee shall also be responsible to issue advisories and amendments from time to time considering the changing business scenario. The composition of the Committee is as follows :

Chief Secretary to Government	-	Chairman
Principal Secretary to Government, Finance Department	-	Member
Additional Chief Secretary to Government, Rural Development & Panchayat Raj Department	-	Member
Additional Chief Secretary to Government, Highways and Minor Ports Department	-	Member
Principal Secretary to Government, Information Technology Department	-	Member-Convener

Principal Secretary to Government,
Municipal Administration & Water
Supply Department - Member

Principal Secretary to Government,
Housing & Urban Development Department - Member

Principal Secretary to Government,
Energy Department - Member

Principal Secretary to Government,
Environment, Climate Change &
Forests Department - Member

Deputy Director General (Rural),
Tamil Nadu License Service Area
(TN LSA), Chennai - Member

Additional members from other Stakeholder Departments/Technical Organizations/Telecom Service Providers (TSPs) / Infrastructure Providers (IPs) will be co-opted on need basis.

District Level Telecom Committee (DLTC) - Under the Chairmanship of District Collector/Commissioner of Greater Chennai Corporation, a District Level Telecom Committee shall resolve all issues within a period of thirty calendar days of initial receipt of reference by the DLTC. The reference may arise due to escalation by the Telecom Infrastructure Company or referred to District Level Telecom Committee by the Dispute Resolution Officer. This Committee shall meet at least once a quarter and be responsible to issue advisories and amendments from time to time considering the changing business scenario. This Committee shall report the unresolved issues to the State Level Telecom Committee not later than sixty calendar days from the initial receipt of reference by the District Level Telecom Committee. The members of the Committee shall be representatives from Local Bodies (Municipal Corporation/Municipality/Town Panchayat/Development

Authority), Law Enforcement Authorities, Tamil Nadu Generation and Distribution Corporation Limited, Infrastructure Providers & Telecom Service Providers and Director (Rural), Chennai / Coimbatore of DoT Field Unit of Tamil Nadu License Service Area.

25. Online Portal

Information Technology Department, Government of Tamil Nadu shall develop and maintain an online portal for Single Window Clearance integrated with various Payment Gateways for collection of fees/charges, as applicable, for all appropriate authorities under its control through Electronics Corporation of Tamil Nadu (ELCOT), within 12 months from the date of release of the policy. The applications submitted through the portal by the Licensees for grant of Right of Way permissions, shall be routed to the District Nodal Officer for approval.

- All the approving agencies, i.e. Local Authorities/Departments shall have access to the Portal.
- Every application shall have a Unique Reference Number which shall be valid for all the communications related to it.
- The Portal shall have information pertaining to Grievance Redressal Mechanism, Guidelines for Indian Government Websites, helpline number, frequently asked questions, Government Orders etc.
- Applications related to Exit/Relocation/Shutdown of Tower request shall also be processed through the Portal.
- Management Information System reports from the Portal shall be used to measure the progress of the applications.
- Quarterly Management Information System reports shall be sent to both the Committees defined above.
- The Other features of the Portal will include:
 - Submission of the applications for permission of RoW across the State;

- Workflow for approval process;
- Online upload of supporting documents relating to the application;
- SMS/e-Mail alerts regarding the status of the application;
- A Dashboard to monitor the status of the applications like date applied, number of days lapsed, details of rejection or deemed approval, etc.;
- Online payments.
- Issue of electronic deemed approvals after lapse of timelines as specified in the Policy.

26. Power Supply to Telecom Infrastructure

Telecom Towers being a critical infrastructure, Tamil Nadu Generation and Distribution Corporation Limited shall give priority on a best effort basis in providing electrical power connection to Telecom Infrastructure within the timeline prescribed under relevant rules/regulations in vogue. Tamil Nadu Generation and Distribution Corporation Limited shall ensure that disconnection of electrical power supply, if required, is executed with prior written notice of at least fifteen calendar days to the concerned IP and TSP.

27. Changes in the Policy

The policy shall be suitably revised from time to time to accommodate changes that may be necessitated to remove any difficulties in implementation on account of any technology or regulatory changes which may be introduced by the Department of Telecommunications, Government of India or any other Competent Authority in order to keep this Policy dynamically responsive to changing technology, regulatory regime or any other unforeseen situations / development or lack of clarity, by the Information Technology Department.

FORM – I

(See sections 7 and 21)

Application for permission / renewal of permission for laying / establishment of Underground Telegraph Infrastructure(Item A to E must be filled for **each** Appropriate Authority separately that fall under the jurisdiction of the District Nodal Officer)

To

The District Nodal Officer,

A	Details of the applicant	
1.	License/Registration Certificate details from GoI	
2.	Name of applicant	
3.	Registered Address	
4.	Circle Office Address	
5.	Name and designation of authorized person on behalf of applicant	
6.	Official Mobile No. of the authorized person	
7.	Official e-Mail of authorised person	
B	Details of the proposed work to be undertaken (Specify separately for each Appropriate Authority)	
1.	Length of the proposed work (in Kms.)	
2.	Route for the proposed work	
3.	Nature of the proposed work	
4.	Methodology for execution of the proposed work	
5.	Location details including Ward No., Colony	
6.	City/Town/Village, Tehsil & District	

C	Details of fee and charges deposited (if any) with respective Appropriate Authority	
D	List of documents attached	Whether attached (Yes/No)
i.	A copy of relevant License/Registration Certificate granted by the DoT	
ii.	The location map showing the details of underground or overground Optical Fibre Cable/ Telegraph Infrastructure including route planned, exact latitude and longitude and nature of land	
iii.	The detailed technical design and drawings of the post or other above ground contrivances (in case of overground cabling)	
E	Other information for proposed work	
i.	The details of land or building or structures where the laying of underground OFC/ Telegraph Infrastructure is proposed	
ii.	The time duration for execution of the work	
iii.	The time of the day when the work is expected to be done in case the applicant expects the work to be done during specific time of the day	
iv.	By inconvenience that is likely to be caused to the public and the specific measures proposed to be taken to mitigate such inconvenience	
v.	Specific measures proposed to be taken to ensure public safety during the execution of the work	

vi.	Any other matter relevant, in the opinion of the applicant, connected with or relative to the work proposed to be undertaken including estimation of restoration cost (if any)	
vii.	Any other information required under any order issued by DoT, State Government or local body	

DECLARATION

1. I/We hereby declare that I have carefully read the instructions. I/We fully comply with the terms and conditions therein.
2. I/We undertake to furnish Performance Bank Guarantee in case Appropriate Authority agrees for self – restoration.
3. I/We undertake to pay the restoration charges as fixed by the Appropriate Authority prior to execution of the work in case Appropriate Authority does not agree for self-restoration.
4. I/We understand that this application, if found incomplete in any respect and/or if found with conditional compliance or not accompanied with the processing fee, shall be summarily rejected.
5. I/We understand that processing fee is non-refundable irrespective of whether or not the permission is granted to me/us.

I/We declare that if at any time any averments made or information furnished by me/us is found incorrect or false, my/our application shall be liable to be rejected and any permission granted based on such information/documents shall be liable to be cancelled/rejected.

Signature and name of the authorized signatory with seal

Date :

Place :

Each Appropriate Authority to issue a receipt (electronic or physical as appropriate) for the application to the applicant

FORM - II

(See sections 11 and 21)

**Application for permission / renewal / regularization of permission
for installation of Overground Telegraph Infrastructure**

(Item A to I must be filled for each Appropriate Authority separately that fall under the jurisdiction of the District Nodal Officer)

To

The District Nodal Officer,

A	Details of the applicant	
1.	License/ Registration Certificate details of GoI	
2.	Name of applicant	
3.	Registered Address	
4.	Circle Office Address	
5.	Name and designation of authorized person	
6.	Phone/Mobile no. of the authorized person	
7.	e-Mail	
B	The nature of post/tower or other aboveground contrivances proposed to be established	
C*	The extent of land required (size and area in meters)	
D*	Details and location of the land and proposed site	
1*.	Complete site address	
2*.	Latitude and Longitude of the proposed site	
3.	Other details	

	(a) Road Name (b) Route distance for overhead OFC (c) From location to location (d) Number of own poles to be installed (e) Number of EB poles to be used (f) Number of corporation poles to be used (g) Authority Type: Corporation/Municipality/Town Panchayat/Village Panchayat/SH/NH/NHAI (h) Authority Name	
E*	Details of building or structure of the proposed site	
1.	Name of building/structure	
2.	Height and stories of building	
3.	Area of the building/structure	
4.	Complete address of the building/structure	
5.	Latitude and Longitude of the proposed site	
F	Name and address of the owner of the land or building	
G	Other related information	
1.	The mode of and the time duration for execution of the work	
2.	The inconvenience that is likely to be caused to the public and the specific measure to be taken to mitigate such inconvenience	
3.	The measures proposed to be taken to ensure public safety during the execution of the work	
4.	The names and contact details of the employees of the applicant for the purpose of communication in regard to the application made	

5.	Any other matter relevant, in the opinion of the applicant, connected with or relative to the work proposed to be undertaken	
6.	Any other matter specified by the DoT, State Government or the local body	
H	Details of fee and charges deposited	
I	List of documents attached	Whether attached (Yes/No)
(i)	Copy of the License/Registration Certificate/Infrastructure Provider Registration granted by the DoT	
(ii)	Copy of Structural Stability Certificate	
(iii)	Copy of No-objection Certificate issued by the Fire Safety Department in case of high-rise buildings where fire clearance is mandatory	
(iv)**	Copy of SACFA clearance/copy of SACFA application for the said location submitted to WPC wing of DoT with registration number as WPC acknowledgement (to be submitted as soon as the location is finalized and tower is installed)	
(v)	Copy of clearance from State Environment, Climate Change & Forests Department, if applicable	
(vi)**	Acknowledgement receipt issued by DoT field unit of TN License Service Area (TN LSA) presently functioning at Chennai and Coimbatore for the self-certificate submitted by applicant (to be submitted within 90 days after radiating the tower)	

(vii)	Copy of certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the DG sets. (In case the capacity of the DG is above 1 MVA).	
(viii)	Any other documents	

* These details are not required to be furnished for establishing Overground Telegraph Line.

** Mandatory only for Telecom Service Providers and not required from applicants who are Infrastructure Providers.

DECLARATION

1. I/We hereby declare that I/We have carefully read the instructions. I/We fully comply with the terms and conditions therein.
2. I/We understand that this application, if found incomplete in any respect and/or if found with conditional compliance or not accompanied with the processing fee, shall be summarily rejected.
3. I/We understand that processing fee is non-refundable irrespective of whether or not the permission is granted to me/us.
4. I/We declare that if at any time any averments made or information furnished by me/us is found incorrect or false, my/our application shall be liable to be rejected and any permission granted on the basis of such information/documents shall be liable to be cancelled/rejected.

Signature and name of the authorized signatory with seal

Date:

Place:

**Appropriate Authority to issue a receipt (electronic or physical as appropriate)
for the application to the applicant**