

GOVERNMENT OF TELANGANA

ABSTRACT

Information Technology, Electronics & Communications Department – “**Indian Telegraph Right of Way Rules, 2016**” notified by the Government of India – Implementation in the State of Telangana – Procedure for grant of “Right of Way (RoW)” - Permission for Underground Laying Optical Fiber Cables (OFC) and Over-ground Infrastructure (Mobile Towers etc) related items – Orders - Issued.

INFORMATION TECHNOLOGY, ELECTRONICS AND COMMUNICATIONS DEPARTMENT
(COMMUNICATIONS WING)

G.O.Ms.No. 2

Dated: 19-02-2021

Read the following:-

1. G.O.Ms.No.18, ITE&C Department, dt. 27.10.2000, Govt. of AP.
2. G.O.Ms.No.46, ITE&C Department, dt. 20.10.2000, Govt. of AP.
3. G.O.Ms.No.334, PR&RD (Pts.IV) Department, dt.09.10.2012, Govt. of AP.
4. G.O.Ms.No.20, ITE&C Department, dt. 26.09.2014.
5. G.O.Ms.No.7 & 8 ITE&C Department, dt. 25-05-2015.
6. G.O.Ms.No.9, ITE&C Department, dt. 25-05-2015.
7. G.O.Ms.No.12, ITE&C Department, dt. 16-09-2015.
8. G.O.Ms.No.96, MA&UD (M1) Department, dt. 05-08-2015.
9. The Indian Telegraph Right of Way Rules 2016, Govt. of India, Gazette Notification No.GSR 1070 [e], dated: 15-11-2016.
10. From the Secy., Gol, Ministry of Communications & Information Tech., Department of Telecommunications, New Delhi, D.O. Letter No. 2-6/20-Policy-I (Vol.VIII) dated: 23-11-2016.
11. G.O.Rt.No.2, ITE&C Department, dt. 23.2.2017.
12. G.O.Ms.No.1, ITE&C Department, dt. 02.03.2017.
13. G.O.Ms.No.52, TR&B (R-1) Department, dt. 04.08.2017.
14. G.O.Ms.No.82, TR&B (R-1) Department, dt. 16.10.2018.
15. G.O.Rt.No.85, ITE&C Department, dt. 15.05.2019.
16. From the MA&UD Dept., U.O. Note No.1828/Plg.III/2020, dt.12.2.2020.
17. Meeting of TS Comprehensive Right of Way Policy, 2020 held on 12.2.2020 in the Chambers of Chief Secretary., Govt. of Telangana.
18. From the TR&B Dept. U.O. Note No. 2696/R.I (I)/2020, Dt.11.05.2020.
19. Department of Telecommunications, Advisory guidelines for State Governments for issue of clearance for installation of Mobile Towers (w.e.f. 01.08.2013).

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ORDER:

The State of Telangana has a vibrant telecom industry and has devised sound Industrial and ICT policies in order to create a promising and healthy environment for Businesses and Service Providers. The Government has been facilitating the establishment of a robust telecommunication infrastructure with adequate bandwidth across the length and breadth of the State. In pursuance of the Indian Telegraph Right of Way Rules, 2016, the following comprehensive guidelines are issued to simplify and streamline the process of giving permissions to install Telegraph infrastructures in Urban and Rural areas of Telangana. This order is intended to supersede any existing Government Orders, Notifications, Circulars, Rules, Regulations, Bye-laws, wherever necessary, regarding obtaining permission from various authorities in Telangana State. Concerned Departments shall issue necessary notification in accordance with this order.

2. In reference 9th read above, Department of Information Technology, Electronics and Communication (ITE&C), Government of Telangana, shall be the Nodal Department for the implementation and coordination of this order. The Principal Secretary, ITE&C Department is designated as the '**Nodal Officer**' for the purpose of preparation of operational guidelines for execution of the said rules in the State of Telangana.

3. “Local/ Nodal Authorities” designated for various Departments to give permissions for use of the Government and quasi-Government properties are listed in Table-1 of Annexure-1.

4. All permissions related to Right of Way (RoW) shall be granted through an electronic application process with a single online web portal – <https://ts-rightofway.cgg.gov.in>. In reference 9th read above, the rules mandate that every application shall be accompanied with the following charges towards Administrative expenses of examination of application and the proposed work process by the appropriate authorities –

- i. INR 1000/- per Kilo meter of Underground infrastructure.
- ii. INR 10,000/- per application of Overground infrastructure.

The procedure for submitting applications and obligations of “Applicants” for establishment of various Telecom Infrastructures is detailed in Annexure - A.

5. **Definitions:** Definitions are included in the APPENDIX.

“Telecom Infrastructure” means the Overground and Underground telegraph infrastructure as defined in Indian Telegraph Right of Way Rules, 2016 and includes:

- i. Optical Fiber Cable – Underground or Overground (Aerial).
- ii. Mobile Towers – Ground based towers [GBT], Ground Based Masts [GBM], Roof Top towers [RTT] and Roof Top Poles [RTP].
- iii. Cell on Wheel [CoW].
- iv. In-Building Solution (IBS)
- v. Small Cell and Micro communication equipment (Micro Cell or Pole) or any other appliances, apparatus, etc., necessary for effective establishment and maintenance of Telecom services.

6. **Permission for Right of Way (RoW) for Underground and Overground Optical Fiber Cable**

- i. The works of laying optical Fiber cable (Under Ground and Aerial) by the side of the roads and other places are done by the licensee. The Applicant shall have to take prior permission from appropriate authorities for laying optical Fiber along the roads, land, power supply poles, Bridges, etc. under ownership of various Departments / institutions like Roads and Buildings Department, Panchayat Raj, Forest Department, Urban Local Bodies, other authorities under the jurisdiction of State Government, Central Government also from the private owners.
- ii. All restoration activities shall be undertaken by the respective department. The fees shall include Administrative fees, Restoration charges, and Bank guarantee by the Applicant. The details of the fee structure and restoration guidelines are mentioned in Annexure - 2.
- iii. No permissions of ROW for Underground Optical Fiber Cable shall be accorded during the monsoon period i.e. between 1st July to 15th September every year. However, in case of any urgency, the restoration charges levied shall be 2.5 times more than the normal charges subject to restoration by Department only.
- iv. Road cutting permissions shall be accorded for installation through Horizontal Direction Drilling (HDD) method only and the open road cutting method shall not be used in twin cities and Municipal Corporations. In case of rocky terrain, the concerned Department may be approached for providing an alternative option/ method.

v. **Powers of Nodal Authority to supervise the work**

- a. The Nodal Authority may supervise the execution of work to ascertain if the conditions imposed in the grant of permission are observed by the Applicant.
 - b. The Nodal Authority may, on the basis of such supervision, impose such other reasonable conditions as it may think fit.
 - c. The Nodal Authority comes to the conclusion that the Applicant has willfully violated any of the conditions of grant of permission, It may forfeit in full or in part, the Bank guarantee submitted by the Applicant and withdraw the permission granted to the Applicant, for reasons to be recorded in writing. Provided that no action shall be taken under this sub-rule unless the Applicant has been given an opportunity of being heard.
- vi. The Government is of the view that the Poles and Overground Optical Fiber Cables become an impediment to traffic and vehicular movement. The erection of unauthorized poles also eats into footpath spaces. All attempts must thus be made by the Applicant to undertake OFC laying activities through underground.
- vii. In exceptional cases, where the operator feels that underground OFC laying would not be possible, the reasons for the same must be submitted to the respective nodal authority. These reasons shall be assessed by the nodal authority, who shall take a decision on whether such over-ground activities, exceptional in nature, shall be permitted or not.
- viii. The One-time Permission and Annual rental fee structure for existing Overground OFCs is attached in Annexure - 2.

7. **Permission for Mobile Towers**

- i. Mobile Towers shall include Ground Based Towers (GBT), Ground Based Masts (GBM), Roof Top Towers (RTT) and Roof Top Poles (RTP).
- ii. The G.O. 5th read above mentions the details of maximum space allotted for the installation of Telecom Infrastructure Towers (TIT) subject to the designs and drawings, and the fee structure of TIT in urban and rural areas. These details and fee structure are mentioned in Annexure - 3.
- iii. Government in an earlier order (G.O 6th read above), had allowed for advance possession of Government and Quasi-Government sites on non-exclusive basis to any licensed Telecom operator pending approval of the feasibility and other Departmental procedures.

8. **EMF Radiation and Permissible locations for erection of Telecom Infrastructure Towers**

- i. Electric and Magnetic Fields (EMFs) are invisible areas of energy, often referred to as radiation, that are associated with the use of electrical power and various forms of natural and man-made lighting.
- ii. In reference 19th read above, the allowable levels of EMF Radiation are prescribed. The norms and mechanisms laid by DoT, GOI modified from time to time regarding the levels and limitations of EMF Radiation are to be strictly followed by various Operators. The Applicant shall submit an undertaking in this regard along with the application and also get clearances from SCAFA wherever applicable.
- iii. In today's digital age, communication and internet connectivity have become essential for public utility services and mobile communication towers are now considered as critical infrastructure. Hence, the Government is of the opinion that there shall be no blanket restriction on the locations for erection of towers, unless restricted by an order of Authority/ Court of law.

- iv. However, both the Government and service providers in the past experiences have realised that close proximity of the towers to certain sensitive infrastructures such as – high density residential areas, schools, playgrounds and hospitals - have been resisted by the civil society, and can also result in a potential law and order situation. In case the issue is not getting resolved, the District Nodal Officer ie., Additional Collector (Local Body), the Dispute Resolution Officer (DRO) at State Level can intervene.
 - v. Efforts must be made by the Applicants to avoid erection of Mobile towers in close proximity to such sensitive infrastructures. However, in unavoidable circumstances, the Applicant shall first build consensus among various stakeholders involved by taking responsibility to educate and spread community awareness about the safety protocols and standards regarding radiation levels, and only then, go ahead to erect telecom infrastructures. A resolution regarding the consensus of various stakeholders must also be submitted to the local authority.
 - vi. Certain critical infrastructures such as – Airport, Defence Establishments, Railway and Electric Lines, Water Bodies, Oil/ Gas pipelines and Heritage Structures etc. – have been identified. In cases where mobile towers have to be erected in close proximity of these infrastructures, regular restrictions as per established practices shall continue. These are mentioned in Annexure - 5.
 - vii. The Applicant should endeavour to communicate to the public about its responsibilities, address the misconceptions and spread awareness about the EMF Radiations. Installation of Digital Display Boards to show the current EMF Radiation and prescribed limitation can also be put up by the Applicant at prominent place in order to spread awareness.
 - viii. The Government and service providers shall together endeavour to hold Community awareness programmes, drives and initiatives to address the misconceptions regarding EMF radiations amongst the public. These programmes shall also be a subject of continuous review at STC meetings.
9. **Permission for Small Cell, Micro Cell and Micro-Communication equipment**
- i. The one-time charges (G.O. 5th read above) fixed for erection of small cells in Gram Panchayats, Urban Local bodies and other public areas in the state are mentioned. These charges are listed in Annexure - 4.
 - ii. Installation of Micro Communication Equipment/Pole shall be promoted where erection of Mobile towers may not be feasible. Micro Communications Equipment, because of their size, can be installed on any type of land/ building/zone across the State regardless of its specified land use including but not limited to the premises of:
 - a. Institutional / Government buildings / residential buildings including Multi Story Buildings / Group Housing Complexes / building used for industrial and commercial purposes.
 - b. On street electric poles, telegraph poles and other structures.

The one-time charges applicable for establishing small cells shall also be applicable for Micro Communications equipment.

10. **Details for promotion of In-Building Solutions (IBS)**

- i. For deploying In-Building Solutions where there is a poor connectivity in terms of weak signal strength inside the office, shopping mall, hospitals, multi-story building, education institutions etc., companies and Applicant will be requiring permissions from the building owners. Moreover, if these companies or Applicants are required to install optical fibre for connecting IBS/DAS nodes for which RoW permissions will be required, they shall be granted accordingly.

- ii. In Build Solution Component being small equipment can be installed on any type of land/building/utility pole and there is no requirement of getting the permission for installation of these components from the Local Authority. However, permission from the Administrative Authority of the concerned building shall be acquired.
- iii. There shall be no fee to be charged for In-building solution (IBS). However, in Government buildings, charges can be levied for provision of power, fixtures, etc. if taken by the TSP/IP.

11. **Details for promotion of free Wi-Fi Services**

G.O. 12th read above mentions that Carrier Grade free Wi-Fi Services are to be promoted in and around Hyderabad Metro Area under Digital Telangana initiative. These details and fee structure for the same are attached in Annexure - 4.

12. **Cell on Wheels (CoW)**

- i. Formal clearance or permit is not required for installation of Cell on Wheels for specific purposes to provide good quality mobile coverage during important events and festivals such as Bathukamma, Samakka Sarakka, Bonalu, Nagoba Jatara (Komaram Bheem Asifabad district), Trade fair, etc. In case of public issue or operational issue, the TSP/IP/Licensee has to forcibly remove the existing towers. In such situation COW deployment will be allowed to provide network connectivity to the public.
- ii. The Cell on Wheels can be placed for a maximum 30 days without the permission of Local Authority. In case the deployment is for a greater duration, due to any reason, the permission from concerned Local Authority is required for a period not exceeding 90 days. In case of environment issues, the TSP/IP/Licensee will face difficulty to construct permanent tower. In such situation deployment of COW will be a good option to provide network connectivity. In such case normal process as per the G.O. to be taken up by the applicant.
- iii. Before installation of CoW, prior formal intimation to the following authorities within its jurisdiction shall be given 15 days before the installation of COW mentioning Geo coordinate (Lat-Long) positions:
 - District Collector and Commissioner of Police/ Superintendent of Police of the concerned District.
 - Concerned Officer-in-charge of the police station of the area where the COW is going to be installed.
 - In case of emergency / disaster situations, formal intimation on installation of COW, can be given to the concerned authorities after the installation.
- iv. No fee shall be charged for installation of Cell on Wheels.

13. Government had constituted a State Level Telecom Committee (STC) (G.O. 11th read above) in order to effectively address Public grievances relating to Mobile Tower Installations and issues related to Telecom Infrastructure.

Role of STC

- i. A State Level Telecom Committee (STC) is constituted in order to effectively address Public grievances relating to Mobile Tower Installations and issues related to Telecom Infrastructure.
- ii. The recommendations of STC shall be adhered to by Municipal Corporation/ Municipality/ Mandals/ Gram Panchayat or any other authority mentioned as Local Authority.

- iii. STC shall approve the State Action Plan after reviewing and can suggest changes if required.
- iv. **The Principal Secretary, ITE&C Department, Govt. of Telangana** is nominated as **Dispute Resolution officer** for the Telangana state.
- v. The Convener of the STC shall arrange a monthly meeting on 28th of every month for resolving the disputes.

The revised composition and role of the committee is herein mentioned:–

1	Chief Secretary	Chairman
2	Secretary, ITE&C	Convener
3	Spl. CS / Prl. Secy. / Secretary from i. T,R&B ii. MA&UD iii. Panchayat Raj iv. Energy	Members (4)
4	DoT LSA Unit	Member
5	State Head of BSNL	Member
6	State Head of each Telecom Service provider/ Infrastructure provider	Member
7	Telecom Association Representatives (1 each)	Members (2)
8	Academic Domain experts	Member

Academic Domain experts as a member of the committee shall be nominated by the Chairman of the committee.

14. Government is giving special attention in setting up Telecommunication infrastructure in LWE districts. All authorities, as a priority, must ensure that norms of this order are complied with in LWE Districts and timelines must be further reduced wherever possible. A Committee has been constituted (G.O. 15th read above) for monitoring and resolving implementation issues for the LWE (Left Wing Extremism) for Mobile Towers Projects.

The composition of the committee is as mentioned –

Chief Secretary	Chairman
CCLA	Member
Principal Secretary, Revenue	Member
Secretary, ITE&C	Member
Representatives MHA, GOI	Member
Principal Secretary, HOME	Member and Convener
CCA, DOT	Member
DDG, LSA Unit, DOT	Member and Convener

15. **Deemed approval**

The Right of Way permissions through the web portal are expected within Twenty One days (21), from the date of application, the nodal authority shall -

(a) grant of permission on such conditions including, but not limited to, the time, mode of execution, measures to mitigate public inconvenience or enhance public safety and payment of restoration charges.

(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 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 under (a) or reject the application under (b); and the same shall be communicated in writing to the applicant not later than five working days after permission is deemed to have been granted.

16. Right of Local Authority to seek removal of Mobile Towers and OFC and other related Telecom Infrastructure

- i. Where the appropriate authority, having regard to circumstances which have arisen since the establishment of any telegraph infrastructure under, over, across, in or upon, any immovable property vested in or under its control or management of that appropriate authority, that is necessary and expedient to remove or alter such telegraph infrastructure, it shall issue a notice to the Applicant, being the owner of such telegraph infrastructure to remove or alter its location.
- ii. On receipt of the notice, the Applicant shall, forthwith and within a period of (30) days, proceed to submit, to the appropriate authority, a detailed plan for removal or alteration of such telegraph infrastructure.
- iii. The appropriate/Local Authority shall, after examination of the detailed plan submitted by the Applicant, 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 telegraph infrastructure, provide reasonable time to the Applicant for removal or alteration of such telegraph infrastructure:

Provided, further that the responsibility and liability, including the cost thereof, for removal or alteration of such telegraph infrastructure shall be borne by the Applicant.

17. Resolution of disputes

- i. The **Principal Secretary, ITE&C Department**, Government of Telangana is nominated as the **Dispute Resolution Officer (DRO)** for the State of Telangana.
- ii. The **Additional Collector (Local Body)** is nominated as the **Nodal officer for the District**.
- iii. Any person aggrieved by the decision of local/ nodal authorities or any order of the State Government or for such other grievances related to Telecom Infrastructure in the District, may approach the District Nodal Officer ie. additional Collector (LB), who shall be the First Appellate Authority.
- iv. Any person aggrieved by the decision of local/ nodal authorities or any order of the State Government or for such other grievances related to Telecom Infrastructure in the State, may approach the DRO, who shall be the Second Appellate Authority.
- v. Any person aggrieved by the decision of DRO, may approach the State Telecom Committee (STC), which shall be the Third Appellate Authority.
- vi. The DRO shall determine the disputes within a period not exceeding 30 days from the date of reference from the Nodal authority, in such manner as may be specified by the Central Government from time to time.
- vii. The STC shall determine the disputes within a period not exceeding 60 days from the date of reference from DRO, in such manner as may be specified by the Central Government from time to time.

18. This order shall be suitably adjusted to accommodate changes that may be necessitated 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 these guidelines dynamically responsive to changing technology, regulatory regime or any other unforeseen development.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**JAYESH RANJAN
PRINCIPAL SECRETARY TO GOVERNMENT**

To

All Departments of Secretariat.

All the HODs in the State.

All the District Collectors.

All the Commissioner of Police/ Superintendent of Police

The Principal Secretary to Govt., I&C/PR&RD/MA&UD/TR&B/Energy.

Copy to:

The PS to Secy. to CM, CMO.

The PS to Minister (IT, MA&UD).

SF/SC.

// FORWARDED : : BY ORDER //

SECTION OFFICER

Annexure – 1

(to G.O.Ms.No.2, ITE&C Dept., Dt.19.02.2021)

1. Local/ Nodal Authorities of Various Departments

Area	Department	Local/Nodal Authorities
Municipal Corporation	MA & UD	Municipal Commissioner
Municipalities	MA & UD	Municipal Commissioner
Mandal	Panchayat Raj	MPDO
Gram Panchayat	Panchayat Raj	Panchayat Secretaries
Government Building or Property	Respective Government Departments	Head of the Office
Overhead electric alignment (Poles etc)	TSSPDCL, TSNPDCL	Respective Superintendent Engineer / Executive Engineers of areas of jurisdiction.
Forest Lands	Forest Department	Forest Divisional Officer
District HQRS	Revenue Department	District Collector/Addl. Collector/DRO

i. Role of Local Authorities

- a. Respective Local Authorities will check the documents submitted by the Applicants which were verified online by the respective authorities. Local Authorities will check the copy of the Administrative fees which were already paid by the Applicants for establishment of Telecom Infrastructures.
- b. Respective Local Authorities will scrutinize the application to check the compliances requirements as per this order and Communicate to the Applicant about any further requirement.
- c. The concerned Local Authority shall issue the permit within the specified time frame.

Annexure – 2**(to G.O.Ms.No.2, ITE&C Dept., Dt.19.02.2021)****1. Fees of Underground OFC**

- i. Every application shall be accompanied with the following charges towards Administrative expenses of examination of application and the proposed work process by the appropriate authorities – INR 1000/- per Kilo meter of Underground infrastructure.
- ii. The following Road cutting charges/ Restoration charges for Underground Installation of Optical Fiber Cable (OFC) are envisaged (G.O 13th and 14th read above) –

S.No.	Type of Road	Charges	
1	CC Roads	INR 1844 / Rmt	
2	BT Roads	INR	2275 /Rmt
3	Foot paths	INR	799 / Rmt
4	Berm / WBM	INR	285 / Rmt
5	Beyond Toe of embankment for Rural areas	INR	156 / Rmt
6	Beyond Toe of embankment for Urban areas	INR	195 / Rmt
7	Micro Trenching Technology for depth of 600 mm, 50 mm, width and install 3 to 4 ducts of 40 mm dia.	INR	50 / Rmt
8	On Berm & Earthen Road formation for each pit of size (2mx1mx2m) (HDD)	INR 595 / pit (within and beyond Municipal limits)	
9	On Bitminous / cement concrete Road for each pit of size (2mx1mx2m) (HDD)	INR 11,571 / pit (within GHMC and Municipal limits) INR 10,737 / pit (Beyond Municipal limits)	

- iii. The above fees are exclusive of GST and Centage charges. Centage charges @ 16.5% and GST @ 18% on Road cutting charges + Centage charges will be added extra on the amount of Road cutting charges. The restoration works will be carried out entirely by the Department concerned.
- iv. No ROW permissions shall be accorded during Monsoon period of each year i.e. 1st July to 15th September. However, in case of any urgency, the restoration charges levied shall be 2.5 times more than the normal charges subject to restoration by Department only.
- v. The Applicant shall make the payment of expenses as determined by the Appropriate Authority within a period of thirty (30) days from the date of Demand Note, 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 expenses on an application made by the Applicant seeking such extension.

- vi. Appropriate authority should provide all the information regarding underground utilities including Telegraph Infrastructure so that damage of utilities can be avoided.
- vii. 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, the measures to mitigate public inconvenience and provide for public safety are implemented.
 - 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.
- viii. The Applicant shall ensure provision of positional intelligence, through appropriate technology, of all underground telegraph infrastructures to enable the Appropriate Authority to obtain real time information on its location. The applicant has to submit proper documentation like As Built Drawing (ABDs), Single Line Diagram (SLDs) including Geo-Coordinates (Latitude & Longitude) data for clarity of UG cables.

2. Fees of Overground (Aerial) OFC and Poles

Applicant shall pay the following One-Time Permission Charge and annual Rental fee for infrastructure of Aerial Optical Fiber Cable –

S. No.	Particulars	Fees (Rs)
1	Permission Charge for the route (subject to limitation of one jurisdiction)	Rs 5,000/-
2	Rental per Pole per year	Rs 240 for Urban areas Rs 180 for Rural areas

Annexure – 3**(to G.O.Ms.No.2, ITE&C Dept., Dt.19.02.2021)****1. Mobile Tower Dimensions**

In reference G.O. 5th read above, Government has given dimensions for setting up of base stations and installation of equipment for Telecommunication networks. Leasing of space in Government offices on non-exclusive basis. The maximum space allotted for the installation of telecom towers (GBMs / GBTs) subject to the designs and drawings as per the IS Code procedures.

S.No.	Description	Dimensions
1	For GBTs of height	12.00 Mts x 12.00 Mts
2	For GBMs of height	6.00 Mts x 6.00 Mts
3	Roof top base station	Up to 500 sft

2. Fees for Installation of Mobile Towers in Municipalities

In reference G.O. 8th read above, Government has specified the following fees for installation of Mobile Towers in Municipalities –

S.No.	Grade of the Urban Local Body	Amount per each application (TIT) (in Rs.)
1	All Corporations	1,00,000
2	Selection, Special & First Grade	75,000/-
3	Second & Third Grade	50,000
4	Nagar Panchayats	30,000

3. Fees for Installation of Mobile Towers in Rural areas

The installation and license renewal fee structure for Erection of Telecom Mobile Towers in Gram panchayat is specified in reference G.O. 3rd read above, as follows:-

S.No.	Category	Fee to be levied by Gram Panchayat
1	Cell tower installation fee (one time) a) Ground based towers b) Roof top towers	Rs. 15,000/- Rs. 12,000/-
2	License renewal fee (Annual) for Land based / Roof Top towers	Rs. 1,000/-

Apart from the installation and license fee levied by the Gram Panchayat, the Applicant will pay lease rent to the owner of land/building on which the structure will be put at a negotiated rate.

4. In reference 8th read above, the rules mandate that every application shall be accompanied with the following charges towards Administrative expenses of examination of application and the proposed work process by the appropriate authorities – **INR 10,000/-** per application of Overground infrastructure.

5. In reference G.O. 6th read above, orders were given to all the District Collectors for advance possession of Government sites and quasi Government sites on non-exclusive basis pending approval of the feasibility and other Departmental procedure. Advance possession will help the operator/applicant for installation of Telecom infrastructure in the Government premises.

6. Restrictions to erect Telecommunications Infrastructure Towers

- i. In reference G.O. 8th read above, comprehensive guidelines for installation and restrictions to erect new Telecom Infrastructure Towers are mentioned.
- ii. In reference G.O. 3rd read above, under clause 3, certain norms and imposition of restrictions for issuing licenses for Telecom Infrastructure Towers in Gram Panchayats are specified.

7. All charges mentioned are exclusive of GST.

Annexure – 4**(to G.O.Ms.No.2, ITE&C Dept., Dt.19.02.2021)**

1. In reference 5th read above, One time charges are fixed for 4G expansion in Telangana state viz. the erection of **Small Cells** in Gram Panchayats, ULBs in the State and other public areas. The charges are exclusive of GST: –

S.No.	Grade of the Urban Local Body	Amount (in Rs.)
1	Municipal Corporations / Selection Grade / Special Grade Municipalities	12,000/- per unit
2	First / Second /Third Grade Municipalities and Nagar Panchayats	8,000/- per unit
3	All Gram Panchayats	3000/- per unit

2. The one-time charges applicable for establishing Small Cells shall also be applicable for Micro Communications equipment.

3. In the G.O. reference 12th read above, order was issued to promote carrier grade free Wi-Fi services in and around **Hyderabad Metro Area**. The details are as follows -

- i. To provide Free Wi-Fi services to all the Citizens, Tourists and Visitors.
- ii. Mobile Network facilitating faster and convenient information searches, and social use of Internet to keep pace with today's knowledge Societies.
- iii. To bridge the Digital Divide.
- iv. The Service Providers shall be liable to pay the charges for Underground (ROW and Restoration) Fiber Cable laying rates

S.No.	Type of Road	Charges
1	CC Roads	INR 600 / Mtr.
2	BT Roads	INR 600 / Mtr.
3	Foot paths	INR 300 / Mtr.
4	Berm / WBM	Free of cost

- v. **A rent of INR 500/- per month per pole** which is payable by the Service Provider(s), which includes Right of Way (ROW) on Overground fiber and permission to use the Pole for other Wireless backhaul equipment, shall be applicable. In case of no equipment installation is required on a Pole, the Service Provider(s) shall be charged **INR 50/- per month for Pole**.
- vi. Permissions to Service Providers may be accorded for free use of the site location to set up Wi-Fi Hotspots at the Government Owned buildings like Courts, Hospitals & Educational institutions by the respective departments within Hyderabad city under a single window desk at GHMC for free access for all state owned buildings and establishment for installing and maintaining Wi-Fi equipment at different locations. The service providers should provide free access for Wi-Fi for the building owning Department.
- vii. The Advertisement subsidy shall be provided in the form of free provision for installation of not more than two points of advertising in the radius of Wi-Fi Hotspots operated by the Service Provider(s). The advertisement should be a co-branding model displaying logs of Government of Telangana, the site owner (i.e. GHMC, HMDA & HGCL etc.) and the service provider(s). These should only be in the form of message boards, and not advertisement hoardings.

Annexure - 5

(to G.O.Ms.No.2, ITE&C Dept., Dt.19.02.2021)

Restrictions to erect Telecommunication Infrastructure Towers:

1. Water Bodies:

- i. No building or TIT shall be allotted in the bed of water bodies like River or Nala and in the Full Tank level (FTL) of any lake, pond, cheruvu or Kunta / Shikam lands. Unless and otherwise stated, the area and the Full Tank Level (FTL) of a Lake / Kunta shall be reckoned as measured and as certificated by the Irrigation Department and Revenue Department.
- ii. No building or TIT shall be carried out within:
 - a) 100m from the boundary of the River outside the Municipal Corporations / Municipality / Nagara Panchayat limits and 50m within the Municipal Corporation / Municipality / Nagara Panchayat limits. The boundary of the River shall be as fixed and certified by the Irrigation and Revenue departments.
 - b) 30m from the FTL boundary of Lake / Tank / Kunta of area 10Ha and above.
 - c) 9m from FTL boundary of Lakes/Tanks/Kuntas of area less than 10Ha/shikam lands.
 - d) 9m from defined boundary of Canal / Vagu/ Nala/ Storm water drain width of 10m.
 - e) 2m from defined boundary of Canal/ Vagu/ Nala/ storm water drain width up to 10m.
 - f) In all Parks, Playgrounds and Public Open Spaces.

2. Railways: The distance between the Railway property Boundary and the TIT shall be 30m as per Indian Railways Works Manual or as per No Objection Certificate (NOC) given by the Railway Authorities.

3. Electrical Lines: The distance of Tower from electric line or pole or tower thereof shall not be less than height of the tower plus requisite safety distance from respective high tension or low tension line ie., a minimum safety distance (both vertical and horizontal) of 3m shall be maintained between the building / TIT and the High Tension Electricity lines and 1.5m shall be maintained between the building/TIT and the Low Tension Electricity lines.

4. AIRPORT:

- a. Within the Restricted Zone /Air funnel zone near the airport, necessary clearance from the concerned Air Traffic Controller, Airport Authority shall be obtained.
- b. The building / TIT heights and other parameters shall be regulated as per the stipulations of the Airport Authority of India as notified in Gazette of India Extraordinary (S.O.1589) dated: 30.06.2008 and as amended from time to time by Ministry of Civil Aviation, Government of India.
- c. Irrespective of their distance from the Aerodrome, even beyond 22km limit from the Aerodrome Reference point, no radio masts or similar installation exceeding 152m in height shall be erected except with the prior clearance from civil aviation authorities.

- d. In respect of any land located within 1000m from the boundary of Military Airport no building/TIT is allowed except with prior clearance from the concerned AIR Traffic Controller, Airport Authority with regard to building height permissible and safe distance to be maintained between the building/TIT and boundary of the Aerodrome.

5. Defence Establishments:

In case of sites within 500 m distance from the boundary of Defence Areas Military establishments' prior clearance of Defence Authority shall be obtained by the service providers.

6. OIL / GAS Pipelines:

In case of sites in the vicinity of Oil/ GAS pipelines, clearance distance and other stipulations of the Respective authority shall be compiled with. The Oil/Gas Authorities shall also specify the clearances required stretch wise to Local body.

Annexure – A

(to G.O.Ms.No.2, ITE&C Dept., Dt.19.02.2021)

A. Procedure for submitting application for establishment of Mobile Tower

1. The Applicant shall apply through the Online portal and upload all documents. NODAL Authorities will forward the application to the concerned authorities. The Concerned authority which includes Roads & Buildings, Municipal Corporation, Municipality, Mandal, Gram Panchayat etc will scrutinize the applications for issue of permit through the portal for establishment of Telecom Infrastructure relating to the Mobile Towers such as the Ground base towers [GBT], Roof Top towers [RTT] and Roof Top Poles [RTP].
2. Upon receipt of application through Nodal Department, respective local authorities will scrutinize the application to check the compliances requirements as per this policy and any communication to the Applicant about any further requirement in compliances for the issue of permission.
3. Finally, the concerned local authority will issue the permit within the specified time frame.

Application Submission

1. The applicant shall submit a copy of the application with all the relevant information mentioned in the specified form to the local authority for the area in which they want to install mobile tower.
Following Information and supporting documents are required to be attached along with the applications for establishment of mobile tower:
 - i. A copy of the Registration Certificate/License granted by the Department of Telecommunication:
 - ii. Data Sheet :
 - a) Name of the Applicant Company i.e., IP/Licensee etc, as the case may be.
 - b) Tower Type: GBT, or RTT or RTP
 - c) The location and latitude and longitude of Tower.
 - d) The extent of land required for establishment of Mobile Tower, if the same is with respect to Government land.
 - e) The details of the building or structure, where the establishment of the Mobile Tower infrastructure, is proposed.
 - f) The names and contact details of the employees of the Applicant for purposes of Communication in regard to the application made.
 - iii. Copy of the structural Stability certificate for Roof-Top Towers and the certificate should be from any Authorized Structural Engineer of any of the following: The State R&B department/Local Bodies/IITs/NITs, State Government Engineering (Civil) Colleges or any other agency authorized from time to time.
 - iv. Drawing of the Tower with complete details including the specifications of foundations and design parameters.
 - v. Indemnity Bond (Original) to take care of any loss or injury to accident caused by the Tower apart of the reasons of FORCE-MAJURE.
 - vi. Three Copies of Location plan, Site Plan, Elevation and Structure Plan.
 - vii. Copy of NOC from building/ land owner which Mobile Tower is proposed to be installed and authorized person in case of Government Premises.

- viii. Any other matter relevant, in the opinion of the Applicant, connected with related to the work proposed to be undertaken; and
2. If the application is not complete, the Applicant may be given opportunity to submit revised application or document(s), rectifying the defects within 15 days and the competent authority may accept the revised application.
 3. If the local authority rejects the application, the reasons for the rejection should be intimated to the applicant in writing within 7 days of submitting the application.
 4. However, no application shall be rejected unless the applicant has been given an opportunity of being heard on the reasons for such rejection. If there are no reasons to reject an application, the concerned Authority will issue a permit for the Mobile Tower within 60 days of the day of making the application or revised application or documents, as the case may be.
 5. In case of rejection of application or delay in giving permission, the Applicant (TSP/IP etc) may prefer an Appeal to the District Nodal Officer (First Appellate Authority) within 15 days of such rejection. If the Applicant (TSP/IP etc) is not convinced with the decision of the District Nodal Officer (First Appellate Authority), they may prefer an appeal before the Dispute Resolution Officer (Second Appellate Authority) within 30 days of such decision of Dispute Resolution Officer (Second Appellate Authority) . If the Applicant (TSP/IP etc) is not convinced with the decision of the Dispute Resolution Officer(DRO), they may prefer an appeal before the State Telecom Committee(STC) (Third Appellate Authority) within 30 days of such decision of Dispute Resolution Officer(DRO) and the decision of STC is final and binding on the applicant.
 6. The permission / permit issued to any Applicant shall be co-terminus with validity of License issued to Telecom Service Provider/Registration certificate issued to DoT Licensee.

B. Permission for Right of Way (RoW) for Under-ground Optical Fiber Cable

An Applicant shall, for the purposes of establishment of Under-ground Telegraph infrastructure under any immovable property vested in or under the control or management of any appropriate authority, make an application, supported by such documents, to that authority in such form and manner as may be specified by that appropriate authority.

The applicant will provide the following information along with supporting documents in the application -

- i. A copy of the Registration Certificate/License granted by the Central Government.
- ii. The details of Underground Telegraph infrastructure proposed (OFC) to be laid.
- iii. The mode of and the time duration for execution of the work.
- iv. The time of the day when the work is expected to be done in case the Licensee/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 consequence of the work proposed to be undertaken by the Licensee.
- 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 work.
- viii. Any other matter relevant, in the opinion of the applicant, connected with or relevant to the work proposed to be undertaken, and
- ix. Any other matter connected with or related to the work as may be specified, through a general or special order, by the Central Government or appropriate State Government or appropriate Local Authority:

- x. The applicant shall, while making the application, give a specific commitment on whether he undertakes to discharge the responsibility for restoration, to the extent reasonable and prudent, of the damage that the appropriate authority shall necessarily be put in consequence of the work proposed to be undertaken.
- xi. Every application shall be accompanied with a fee of Rs 1,000/- per KM to meet Administrative expenses for the examination of the application and the proposed work.

C. Grant of Permission by Nodal Officer

The Nodal Officer shall send the received application to the local body to examine the application with respect to the parameters, namely:

- a. The Route planned for the proposed underground telegraph infrastructure and the possible interference either in the establishment or maintenance of such telegraph 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 estimation 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. Assessment of measures to ensure Public safety and inconvenience that the Appropriate Authority may necessarily be put in consequence of the work proposed and the measures to mitigate such inconvenience indicated by the Applicant.
- g. Any other matter, consistent with the Act and these rules, connected with or relative to the establishment or maintenance of underground telegraph infrastructure, through a general or specific order, by the central Government, appropriate state Government or the appropriate local authority.

D. Obligations of Applicant in undertaking work

1. The Applicant shall make the payment of expenses as determined by the Appropriate Authority within a period of thirty (30) days from the date of grant of permission 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 expenses or submission of Bank Guarantee on an application made by the Applicant seeking such extension.
2. The Applicant shall ensure that-
 - i. Prior to the commencement of work of laying the underground telegraph infrastructure and at all times during the extension of work, the measures to mitigate public inconvenience and provide for public safety are implemented.
 - ii. 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, of all underground telegraph infrastructure to enable the Appropriate Authority to obtain real time information on its location. The applicant has to submit proper documentation like As Built Drawing (ABDs), Single Line Diagram (SLDs) including Geo-Coordinates (Latitude & Longitude) data for clarity of UG cables.

APPENDIX**(to G.O.Ms.No.2, ITE&C Dept., Dt.19.02.2021)****Definitions:**

In this G.O., unless otherwise required in the context:

- i. "State" means State of Telangana
- ii. "Licensee / TSP" means any person holding a license issued under section 4 of the Indian Telegraph Act, 1885;
- iii. "Infrastructure Provide (IP)" means and includes a person, firm, association of persons or company who is duly registered with the DoT as Infrastructure Provider Category-1 (IP-1).
- iv. "Applicant" means any IP-1, TSP or Service Provider who makes an application seeking permission to establish and maintain of Telecom Infrastructure.
- v. "Application" means the application for single window clearance for the establishment and maintenance of Telecom Infrastructure.
- vi. "Application / Form" means the Form will be incorporated in the ONLINE PORTAL. Applicants to fill Online only.
- vii. "Fees" prescribed by this policy include Administrative fees, permission charges, usage fees, utility fees as prescribed in this policy or any other tax or levy etc., that may be payable under any law, the fees or annual charges do not include GST, Labour Cess & other applicable Taxes.
- viii. "Permission" means any permission pertaining to this Policy for Telecom Infrastructure.
- ix. "Appropriate Authority" means the 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 over ground. Telecom infrastructure is to be established or maintained, vested in or under, the control or management of such appropriate authority.
- x. "Nodal Authority" means the Principal Secretary, ITE&C Department or his appointed representative of Department, Government of Telangana is responsible for preparation of the Policy and operational Guidelines for execution of it.
- xi. "Areas" means areas under the jurisdiction of appropriate authority: Municipal Corporations, Municipalities, Mandals, Gram Panchayats, Forest Areas and any other area falling within the jurisdiction of State Authorities.
- xii. "Local Authorities and Nodal officers" designated from various Departments to give the permission for use of the Government properties.

"Telecom Infrastructure" means the over ground telegraph infrastructure and underground telegraph infrastructure as defined in Indian Telegraph Right of Way Rules, 2016 and includes:

- i. Optical Fiber Cable – Underground or over ground (Aerial).
- ii. Mobile Towers – Ground base towers [GBT], Ground Based Masts [GBM], Roof Top towers [RTT], Roof Top Poles [RTP]
- iii. Cell on Wheel [**CoW**]
- iv. In-building solution (**IBS**), Micro communication equipment (Micro Cell) or any other appliances, apparatus, etc., necessary for effective establishment & maintenance of Telecom services.

- v. "Micro Communications Equipment" means a Pico/ Micro/ Pole site which is small in size and light in weight, deployed on buildings, utility/ streets poles, street furniture, indoors in large buildings namely malls convention centres and in areas having space constraints, narrow streets, densely populated areas and open public spaces.
- vi. "Telecom Service Provider (TSP)" means a licensee providing telephony services, including, Inter alia, Mobile phone services, Internet and Data transfer Services etc.
- vii. "Infrastructure Provider (IP)" means Infrastructure providers registered with Department of Telecommunications (DOT) to set up Telecom Infrastructures in India.
- viii. "Municipal Corporation, Municipality, Mandal" mean an institution of Local Self-Government under MA&UD department and Panchayat Raj department, Rural Development department.
- ix. "Local body" means Urban Local Bodies (ULB) like Municipal Corporations, Municipal Councils or Town committees for the urban areas and Rural Local Bodies of Gram Panchayats for rural areas as defined in the respective notified Acts.
- x. "Urban and Rural Areas": For the Census of India 2011, the definition of urban area is as follows:
 - a. All places with a municipality, corporation, Notified Area Council.
 - b. Rest of the areas will be considered as the Rural Areas.
- xi. "LWE" means Left Wing Extremism districts of Telangana.
- xii. "Public Grievance" means Grievances of Public relating to installation of towers and issues related to Telecom Infrastructure.
- xiii. "TIT" means Telecom Infrastructure Tower.
