



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

எண்	புதுச்சேரி	வியாழக்கிழமை	2023 ஹ	நவம்பர் மீ	23 டி
No. } 143	Poudouchéry	Jeudi	23	Novembre	2023 (2 Agrahayana 1945)
No. }	Puducherry	Thursday	23rd	November	2023

GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF INFORMATION TECHNOLOGY

(G.O. Ms. No. 6/DIT/2023, Puducherry, dated 22nd November 2023)

NOTIFICATION

The Indian Telegraph Right of Way (Amendment) Rules, 2023 published by the Ministry of Communications (Department of Telecommunications), Government of India, New Delhi, in the Gazette of India, is hereby republished for general information of the public.

(By order)

D. MOHAN KUMAR,
Under Secretary to Government
(Information Technology).

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 7th August, 2023

G.S.R. 594(E). —In exercise of the powers conferred by sub-section (1) and clause (c) of sub-section (2) of section 7 read with sections 10, 12 and 15 of the Indian Telegraph Act, 1885(13 of 1885), the Central Government hereby makes the following rules further to amend the Indian Telegraph Right of Way Rules, 2016, namely: -

1. (1) These rules may be called the Indian Telegraph Right of Way (Amendment) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Telegraph Right of Way Rules, 2016 (hereinafter referred to as the said rules), after rule 9, the following rule shall be inserted, namely: -

“9A. Establishment of temporary overground telegraph infrastructure. – (1) In case of damage of any existing underground telegraph infrastructure for any reason, the licensee, whose existing underground telegraph infrastructure is damaged, may temporarily establish the overground telegraph infrastructure, in lieu of the damaged underground telegraph infrastructure, to restore the telegraph service for the period of sixty days from the date of reporting of damage of the infrastructure to the appropriate authority.

(2) No fee or compensation shall be charged by the appropriate authority for the establishment of temporary overground telegraph infrastructure under this rule”.

3. In rule 10 of the said rules, in sub-rule (5),—

(a) for the word and figure “rule 10B”, the words and figures, “rule 10A and rule 10B”, shall be substituted;

(b) after clause (c), the following clause shall be inserted, namely: -

“(d) “street furniture” means post or pole used for electricity, street light, traffic light, traffic sign, bus stop, tram stop, taxi stand, public lavatory, memorial, public sculpture, utility pole or any other structure or contrivance of such nature established over the property of an appropriate authority.”.

4. In rule 10A of the said rules,—

(a) after sub-rule (1), the following sub-rule shall be inserted, namely: -

“(1A) The licensee shall have the option of submitting single application for multiple sites and appropriate authority shall make due provisions for accepting such applications and issuing single permission for multiple sites accordingly for establishment of small cells.”.

(b) for sub-rule (5), the following sub-rule shall be substituted, namely: -

“(5) The appropriate central authorities shall permit deployment of small cells and shall charge no administrative fees or compensation for deployment of small cells on buildings and structures vested in or under their control as per Part-I or Part-III of the Schedule:

Provided that the charges shall be levied for power (as per Industry tariffs), fixtures etc. provided by building owners as per actuals and licensee shall restore the damage done during deployment of small cells”.

5. For the Schedule of the said rules, the following schedule shall be substituted, namely:—

“THE SCHEDULE

[See rules 5 (3), 6 (1B), 6 (2) (a), 6 (3), 9 (3), 9 A (2), 10 (2), 10 (3) (a), 10A (2), 10A (4), 10 A (5)]

Rule	Item	Amount
(1)	(2)	(3)
Part-I Fee		
5(3)	For establishment of underground telegraph infrastructure	One thousand rupees per kilometer.
9(3)	For establishment of overground telegraph infrastructure	(i) Ten thousand rupees for establishment of mobile towers (ii) One thousand rupees per kilometre for establishment of overground telegraph line. (iii) Nil for establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of appropriate central authority (iv) One thousand rupees per pole for establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of appropriate authority, other than appropriate central authority.
9 A (2)	For Establishment of temporary over ground Telegraph Infrastructure.	Nil.
10A (2)	For installation of small cells and telegraph line using the street furniture	Nil.
10 A (5)	For the deployment of small cells on building or structures vested in or under the control of appropriate central authorities.	Nil.
Part-II Charges for restoration		
6(2)(a)	Establishment of underground telegraph infrastructure where undertaking is not given by the licensee to discharge the responsibility to restore the damages	Sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area.
6(3)	Bank guarantee as security for performance in case of establishment of underground telegraph infrastructure where undertaking is given by the	20 percent of the sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area,

	licensee to discharge the responsibility to restore the damages	if no rate has been prescribed by central public works department for that area.
10(3)(a)	Establishment of overground telegraph infrastructure	Sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area, further, licensee shall restore the damage incurred in case of establishment of poles for installation of Small Cells and telegraph line.
Part-III Compensation		
6(1B)	Establishment of underground telegraph infrastructure	Nil.
9 A(2)	For Establishment of temporary over ground Telegraph Infrastructure.	Nil.
10(2)	Establishment of Over Ground Infrastructure	Rates as the appropriate authority may, by general order, specify, if such property cannot be used for any other purpose. However, for establishment of poles for installation of small cells and telegraph line, compensation shall be Nil.
10A (4)	Usage of street furniture for installation of small cells and telegraph line	(i) For installation of small cells: Three hundred rupees per annum for urban area and one hundred and fifty rupees per annum for rural areas per street furniture. (ii) For installation of telegraph line: One hundred rupees per annum per street furniture.
10 A (5)	For the deployment of small cells on building or structures vested in or under the control of appropriate central authorities.	Nil".

[F. No. 2-6/2023-Policy]

SUNIL KUMAR VERMA,
Joint Secretary.