

PBW(B&R)(B)3(4)19/2001
Government of Himachal Pradesh
Public Works Department.

From

The Principal Secretary (PW) to the
Government of Himachal Pradesh.

To

1. The Chairman,
H.P.S.E.B., Vidyut Bhawan, Shimla 171004
2. The Principal Secretary (IPH) to the
Government of Himachal Pradesh, Shimla-2
3. The Principal Secretary (Urban Deptt.) to the
Govt. of Himachal Pradesh, Shimla-2
4. The Secretary (IT) to the
Government of Himachal Pradesh, Shimla-2.
5. The Engineer-in-Chief,
H.P, PWD, Shimla-171001
6. Engineer-in-Chief,
Irrigation and Public Health Department, Shimla-1
7. The Commissioner,
Municipal Corporation, Shimla-1
8. All the Zonal Chief Engineers,
H.P., PWD, in H.P.
9. All the Zonal Chief Engineers,
I & PH Department in H.P.
10. All the Superintending Engineers,
H.P. PWD in H.P.
11. All the Executive Engineers in H.P., PWD,
In Tribal Areas of H.P.

Dated: Shimla-2, the 3rd September, 2004

Subject: **The “Right of Way Policy” of H.P. Government.**

Sir,

In continuation to this department letter of even number dated 26.04.2002. I am directed to say that the State Government have decided to amend the Right of way policy as under:

- (i) The facility of right of way shall be provided to telecommunication Service infrastructure providers for digging of trenches to lay cable in the kacha and untarred portion of the road and filling of trenches appropriate compaction and restoration of roads to the original shape, design and quality shall be allowed to be done by such infrastructure provider. A performance bank guarantee @ Rs. 30/- per route meter with a validity of one year initially (extendable if required till satisfactory completion of work) shall have to be furnished by such infrastructure provider as a security against improper filling unsatisfactory compaction/restoration and damages caused to other underground installations/ utility services and interference/ interruption/ disruption or any failure caused thereof to any service. Notwithstanding any thing this infrastructure provider shall be liable to pay full compensation to the concerned authority for any damage sustained by them by reason of the exercise of Right of Way facility. Furthermore, while digging trenches in the kacha and unpaved portion on the edge of the road, if any damage is caused to the bituminous surface, side drainage or if such digging of trenches is likely to make or damage the bituminous surface and pucca drainage, reinstatement of such assets will also be done by them (such infrastructure provider). The bank guarantee will be forfeited, if restoration reinstatement work of the roads portion dug and the damages caused or likely to cause to bituminous surface or pucca drainages due to such digging of trenches is not done as per the satisfaction of the officers of the department and within the stipulated time frame the reinstatement and restoration will be carried out by the department at the cost of such service provider.
- (ii) If laying of OFC is done on the bituminous road and laying of such cable damages the bituminous road, reinstatement of bituminous road will be done by the concerned road owner at the cost of such service provider on the rates prescribed by such road owner and the cost will be deposited by such service provider with road owner.

- (iii) The above policy regarding reinstatement of roads and performance bank guarantee is applicable with respect of State Government/Local Bodies roads and not for the National Highways which will be governed by the policy directions of the Ministry of Road Transport and Highways.
- (iv) Keeping in view the fact that the OFC networking in the tribal and remote areas of the State is non-remunerative and financially not viable and keeping in view the need of reliable communication in these areas it is proposed to charge from BSNL reinstatement charges @ Rs.30,000/- per Km of route length as is being charged by BRO instead of taking performance bank guarantee and reinstatement of road will be carried out by the HP. PWD. The trenches will be dug on hill side on the extreme edge of the road which is mostly kacha portion and reinstatement of trenches upto road level will be done by BSNL. Hence, irrespective of whether it is kacha or bituminous surface, an uniform rate of Rs. 30,000/- per route Km will be charged from BSNL as a special case in the Tribal and Backward Blocks of the State. The proposed routes in Tribal and back ward areas where OFC is proposed is at **Annexure A.**
- (v) In the Right of Way Policy of State Govt. dated 26.04.2002, service infrastructure provider was required to provide to the State Government a bandwidth of 2 mbps at the District and State Headquarters nodes free of cost. In view of the liberalized facility of Right of Way and reinstements/restoration of roads mechanism now being provided, it is decided that 2 mbps free band width at State and District headquarters nodes shall be provided initially which will be increased upto 16 mbps in future as per requirement at specific locations to be decided by the Department of Information Technology. Govt. of Himachal Pradesh in consultation with such infrastructure provider. In addition to Block headquarters upto 2 mbps free bandwidth shall be provided at Tehsil headquarters also as per requirement to be determined by Department of Information and Technology.

It is requested that the aforesaid policy be implemented accordingly. This issues with the prior concurrence of Finance Department.

Yours faithfully,

**Under Secretary (PW) to the
Government of Himachal Pradesh.**

Ends No. PBW(B&R)(B)3(4)19/2001 dated Shimla-2, the 3rd September, 2003

Copy forwarded to the following for information and necessary action:

1. Deputy General Manager(TP), BSNL, Good Wood Estate, Bharati Road, Madhav Kunj, Shimla-1.
2. The Manager Reliance Communication Infrastructure Ltd. Jai Bhaagwati Niwas, IIInd Floor, Blair Ethel Estate, Near Oak Over, Shimla.
3. The Under Secretary (GAD) to the Government of Himachal Pradesh, Shimla-2.

**Under Secretary (PW) to the
Government of Himachal Pradesh.**

LIST OF OFC ROUTES PLANNED IN H.P. BY TELECOM PROJECTS.

Sr. No.	Name of route	Route Km	Distt.
1	Chamba-Bharmour	64	Chamba
2	Chamba Tissa	69	Chamba
3	Dalhousie-Chamba (via Khajiar)	54	Chamba
4	Keylong Udaypur	48	Lahoul & Spiti
5	Puh +-Kaza	165	Lahaul & Spiti
6	Udaypur-Killar	85	Lahaul& Spiti
7	Rohru-Rampur (Via Bali)	104	Shimla
8	Rajgarh-Haripurdhar	60	Sirmour
9	Dadahu-Chandni	14	Sirmour
10	Rampur-Nirmand	19	Shimla
11	Lippa-Puh	25	Kinnaur
12	Moorang-Puh	8	Kinnaur
13.	Puh-Ribba	2.5	Kinnaur
14.	Puh-Rarang	10	Kinnaur
15.	Gaibong-Puh	12	Kinnaur
16.	Panog-Ronhat	10	Sirmour
17.	Baning-Thirot	4	Lahaul & Spiti.