

GOVERNMENT OF MEGHALAYA
INFORMATION TECHNOLOGY & COMMUNICATION DEPARTMENT

Dated Shillong the 23rd February, 2024.

NOTIFICATION

No.ITC.45/2022/166 - The Governor of Meghalaya is pleased to adopt the Meghalaya Telecom Infrastructure (Amendment) Policy 2024 to facilitate the process of enhancing the installation of telecom infrastructures and their operations in areas under the jurisdiction of the State Government and to facilitate equitable access of quality telecom services to all by way of high speed access to information and web-based communication.

The Policy will be guiding document to streamline the process of application and granting of permission for installation of Mobile Towers, and fast tracking roll out of 5G infrastructure on street furnitures, laying of Optical Fiber Cable (OFC) both underground and over-ground, In-Building Solutions (IBS) and other telecom infrastructures with time bound provisions.

This Policy will come into force w.e.f **1st March, 2024**

-Sd-

(Pravin Bakshi, I.A.S)

Commissioner & Secretary to the Govt. of Meghalaya,
Information Technology & Communication Department.

Memo No.ITC.45/2022/166-A

Dated Shillong the 23rd February, 2024.

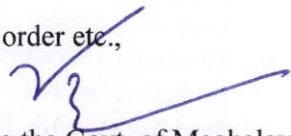
Copy to:

1. The P.S to Chief Minister i/c of Information Technology & Communication Department for favour of kind information of the Chief Minister.
2. The P.S to Deputy Chief Minister for favour of kind information of the Deputy Chief Minister.
3. The P.S to Cabinet Minister(s), for favour of kind information of the Minister(s).
4. The P.S to Chief Secretary & Chairman, State Broadband Committee (SBC) for kind information of the Chief Secretary.
5. The P.S to Additional Chief Secretary for kind information of the Additional Chief Secretary.
6. The P.A to the Commissioner & Secretary, IT & C for kind information of the Commissioner & Secretary.
7. The P.A to all Principal Secretary/Commissioner & Secretary/Secretaries to the State Govt. of Meghalaya for favour of kind information.
8. The Chairman cum Managing Director, MeECL for favour of kind information and necessary action.
9. The Deputy Commissioner, East Khasi Hills District/West Khasi Hills District/
Eastern West Khasi Hills District/South West Khasi Hills District/Ri-Bhoi District/
East Jaintia Hills District/West Jaintia Hills District/East Garo Hills District/West Garo
Hills District/South Garo Hills District/South West Garo Hills District/North Garo Hills
District for favour of kind information and necessary action.

Contd....

10. The Divisional Forest Officer (Territorial), Forest & Environment Department for favour of kind information and necessary action.
11. The Additional DG, NE LSA, Department of Telecommunications, GoI, CTO Building, BSNL Building, Shillong-1.
12. The Sr. DDG / DDG (Rural), NE LSA, Shillong, DoT, GoI, DDG, NE LSA, Department of Telecommunications,
13. The Chief Executive Officer/Executive Officer, Urban Affairs Department for information and necessary action.
14. The Executive Engineer, P.W.D (Roads) for favour of kind information and necessary action.
15. The Superintending Engineer/Executive Engineer, MeECL, MePDCL for favour of kind information and necessary action.
16. The Director, Directorate of Information Technology & Communication for favour of kind information.
17. The Director of Printing & Stationeries, Meghalaya, Shillong for publication in the Official Gazette.
18. The Director of Information & Public Relations, Meghalaya, Shillong for favour of kind information and necessary action.
19. The Director General, COAI for favour of your kind information and necessary action.
20. The Director General, DIPA for favour of your kind information and necessary action.
21. The Chief General Manager, BSNL, for favour of kind information and necessary action.
22. The PGMTD, BSNL, NE-1 Circle, Meghalaya Shillong for favour of kind information and necessary action.
23. The Sr. GM (Project) BBNL and State Head Meghalaya, Tripura and Mizoram for favour of kind information and necessary action.
24. The Legal and & Regulatory Head, BHL (Airtel) for favour of kind information and necessary action.
25. The Principal State Coordinator, Assam-NE, Reliance Jio for favour of kind information and necessary action.
26. The State Informatics Officer, NIC Meghalaya for kind information with a request to post in the State Portal and the DIT-Meghalaya website.
27. The Deputy Director General TERM Cell, NE-I Circle Shillong III Floor, CTO Building for favour of kind information and necessary action.
28. Shri. E Lyngwa, Head SeMT Meghalaya for favour of kind information and necessary action.
29. The (JIOCRM), DITC, Meghalaya for State Admin, DITC, Meghalaya for GatiShakti portal for favour of kind information and necessary action.

By order etc.,


Joint Secretary to the Govt. of Meghalaya,
Information Technology & Communication Department.

INFORMATION TECHNOLOGY & COMMUNICATIONS
DEPARTMENT

GOVERNMENT OF MEGHALAYA

Meghalaya Telecom Infrastructure (Amendment) Policy, 2024

*(An Amendment to the Meghalaya Telecom
Infrastructure Policy 2018)*

(Approved by the Cabinet on 5th February 2024)

23rd February , 2024

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PREFACE

Recognizing the importance of ubiquitous Digital Connectivity to improve the quality of life of its citizen, the Government of Meghalaya strives to actively facilitate the growth of the Telecom sector in the State. Towards achieving this end, the Meghalaya Telecom Infrastructure Policy (MTIP) 2018 was drafted, approved and implemented in the State.

Meanwhile, the Department of Telecommunications (DoT), Ministry of Communications, Government of India, has notified Indian Telegraph Right of Way Amendment Rules, 2021, the Indian Telegraph Right of Way (Amendment) Rules, 2022, the Indian Telegraph Infrastructure Safety Rules, 2022 and the Indian Telegraph Right of Way (Amendment) Rules, 2023. The key thrust areas include the roll-out of 5G by leveraging Street furniture, promote Telecom infrastructure in State Government premises, discontinue approvals for Telecom infrastructure on private property except for intimation and acknowledgement, and encourage In-Building solutions.

Therefore, to align MTIP-2018 with the amended Rules and Guidelines of the Government of India, and the focus areas of the State particularly, aimed at fast-tracking the rollout of 5G infrastructure, the Government of Meghalaya is pleased to issue this amended Policy.

**GOVERNMENT OF MEGHALAYA INFORMATION TECHNOLOGY &
COMMUNICATION DEPARTMENT**

Dated Shillong the 23rd February, 2024.

NOTIFICATION

No.ITC.45/2022/166 - The Governor of Meghalaya is pleased to adopt the Meghalaya Telecom Infrastructure (Amendment) Policy 2024 to facilitate the process of enhancing the installation of telecom infrastructures and their operations in areas under the jurisdiction of the State Government and to facilitate equitable access of quality telecom services to all by way of high speed access to information and web-based communication.

The Policy will be guiding document to streamline the process of application and granting of permission for installation of Mobile Towers, and fast tracking roll out of 5G infrastructure on street furniture, laying of Optical Fiber Cable (OFC) both underground and over-ground, In-Building Solutions (IBS) and other telecom infrastructures with time bound provisions.

This Policy will come into force w.e.f. **1st March 2024**

-Sd-

(Pravin Bakshi, I.A.S)

Commissioner & Secretary to the Govt. of Meghalaya,
Information Technology & Communication Department.

PREAMBLE

The matters that include, “Posts and telegraphs, telephones, wireless, broadcasting and other like forms of communication” is listed in the Union List of the Seventh Schedule (Article 246) of the Constitution of India. However, although Telecommunication is a Union subject, the support of the State Government is vital as telecommunication has a direct impact on the quality of life of the citizen and the economy. Therefore, it is pertinent to provide enabling provisions in the form of granting permissions to licensees for establishing, maintaining, working, repairing, transferring or shifting their infrastructure, at public or private or government properties under the jurisdiction of the State Government of Meghalaya.

The North East India (excluding Assam) has a tele-density of 78.44% against the national tele-density of 84.61% as per TRAI report dated 27th January 2023.

In Meghalaya, with an estimated population of 32 lakhs, the tele-density is estimated to be about 80.38%. All the 12 District Head Quarters (DHQs) and Block Head Quarters (BHQs) are covered through mobile connectivity. Out of 7155 villages, 5751 villages are covered (*Source: Local Government Directory <https://lgedirectory.gov.in>*)

The growth of Internet penetration in India and realization of its full potential will be closely tied to the proliferation of broadband services.

The State Government desires that all citizens of the State get access to quality telecommunication and associated services close to their doorsteps. Towards achieving these ends the State Government, through this Policy, aims to facilitate the process of enhancing the telecom infrastructure and its operations in areas under its jurisdiction and to facilitate equitable access to telecom services to all. Telecommunications being a subject of the Union List, this Policy shall adhere to the policies and guidelines issued and laws enacted by the Government of India from time to time.

OBJECTIVES

- (1) To streamline the process of application and granting of permission for installation and operations of telecom infrastructures including Mobile Tower, Mobile Poles, laying of Optical Fiber Cable (OFC), In-Building Solutions (IBS) with time bound provisions.
- (2) To provide and increase Telecom and Broadband penetration to all inhabited villages of the State.
- (3) To act as an enabler to provide reliable, affordable, and high-quality telecommunication and Internet services to citizens of the State.
- (4) To act as an enabler in providing high-speed and high-quality broadband access to rural areas through a combination of technologies.

- (5) To extensively deploy and leverage the State's infrastructure like Electricity poles, Street furniture, highway common ducts, for providing better telecom and broadband connectivity in the State.
- (6) To create a supportive environment for a thriving telecom infrastructure in the State, through capacity building and public awareness related to Electro Magnetic Radiation (EMR) emission from Telecom installations, through an institutional mechanism to handle any objections and issues.
- (7) To foster a conducive digital ecosystem in the State with a resilient, scalable, and sustainable telecom infrastructure, connecting every citizen on broadband enabled digital platforms.

SHORT TITLE, EXTENT, APPLICABILITY AND COMMENCEMENT OF THE POLICY

- (1) This Policy may be called the Meghalaya Telecom Infrastructure (Amendment) Policy, 2023.
- (2) It shall extend to the whole State of Meghalaya.
- (3) It shall come into force from the date of its publication in the Gazette.
- (4) It shall be administered by the Information Technology & Communications (IT&C) Department, Government of Meghalaya.
- (5) The Policy shall not be in violation or super-session of the provisions contained in the Indian Telegraph Act, 1885, and all the Rules, guidelines and advisories issued by Department of Telecom (DoT), Govt. of India from time to time.
- (6) Telecom matters being a subject of the Union List, this Policy shall override to the extent wherever any provision of the State law or Byelaws are in contradiction or inconsistent with the Government of India Rules and Guidelines. In any such contradiction and inconsistency related to Telecom, the Rules and Guidelines of the Government of India shall prevail and be binding on the concerned stakeholders.

DEFINITIONS

- (1) In this Policy, unless otherwise required in the context: -
- i. "State" means the State of Meghalaya
 - ii. "Act" means the Indian Telegraph Act, 1885
 - iii. "Rule" means the Rules notified under the aforesaid Act.
 - iv. "Guidelines" means Guidelines issued by the Department of Telecommunications (DoT), Ministry of Communications, Government of India.
 - v. "Telegraph infrastructure" includes a telegraph or a telegraph line and post
 - 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 to set up Telecom Infrastructures in India.
 - viii. "Licensee or Applicant" means any person or organization holding a valid license issued under section 4 of the Indian Telegraph Act, 1885, authorized to establish, maintain, work, repair, transfer or shift and maintain assets such as dark fibres, Right of Way (RoW), duct space, tower, pole and other telegraph infrastructure which may be for the purpose of granting the same on lease/rent/sale basis to licensees of telecom service on mutually agreed terms and conditions, including the Licensee's or Applicant's successors and assigns.
 - ix. "Fees" means 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 compensation or charges do not include Goods and Service Tax (GST), Labour cess & other applicable taxes.
 - x. "Permission" means any permission pertaining to this Policy for Telecom Infrastructure
 - xi. "Portal" or "Common Portal" means a universal portal or mobile phone application developed and notified by the Union Government for the purposes of these rules, including the Gati Shakti Sanchar Portal, unless otherwise specified;
 - xii. "notice" means prior information of digging or excavation submitted through common portal.
 - xiii. "mobile tower" means any above-ground contrivance for carrying, suspending or supporting a telegraph and does not include pole;
 - xiv. "pole" means any above-ground contrivance of height not exceeding eight meters for carrying, suspending or supporting a telegraph and does not include mobile tower;
 - xv. "small cell" means a low powered cellular radio access node that has a coverage of distance from ten meters to two kilometers;
 - xvi. "Administrative Authority" means the custodian of the State Government premise and the competent authority to issue No-Objection Certificate (NOC) to the Licensees / Applicant pertaining to immovable property owned by the State Government so that the Licensees / Applicant may apply to Local Authority for permission to set up Telecom infrastructure as per this Policy.
 - xvii. "Nodal Department" means the Information Technology & Communications (IT&C) Department, Government of Meghalaya.

- xviii. "Nodal Officer" means the Principal Secretary/ Commissioner & Secretary/ Secretary, whoever is in-charge of the Information Technology & Communications Department, for the purpose of this Policy.
- xix. "Areas" means areas under the jurisdiction of Local Authority as outlined in this Policy.
- xx. "Local Authority / Local Authorities" means the authority /designated officer with 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 authority /designated officer; for the purpose of giving the permission for setting up of Telecom infrastructure as per this Policy.
- xxi. "Municipality" means any area notified under the Meghalaya Municipal Act, 1973, by the State Government from Time to time.
- xxii. "duct" means a pipe, permanently lubricated or of any other kind, used as underground cable conduit for telegraph line
- xxiii. "Over-ground telegraph infrastructure" means a telegraph or a telegraph line establishing, maintaining, working, repairing, transferring or shifting over the ground and includes posts or other above ground contrivances, appliances and apparatus for the purpose of establishment or maintenance of the telegraph or the telegraph line.
- xxiv. "Under-ground telegraph infrastructure" means a telegraph line laid under the ground and includes manholes, marker stones, appliances and apparatus for the purposes of establishing, maintaining, working, repairing, transferring or shifting or maintenance of the telegraph line.
- xxv. "Local Body" means Meghalaya Urban Development Authority / Municipal Board / Town Committee.
- xxvi. "Local Central Authority" means the Union Government or the authority, body, company or institution, incorporated or established by the Union Government, in respect of property, under, over, along, across, in or upon which underground or overground telegraph infrastructure, is to be established or maintained, vested in, or under, the control or management of such Government, authority, body, company or institution
- xxvii. "Structural Engineer" for telegraph infrastructures on existing buildings or directly overground or on Street Furniture means a Structural Engineer with Ph. D / M. Tech / M.E in Structural Engineering with minimum 5 years' experience from the date of attaining the said degree and should be actively involved in structural design work;
- xxviii. "Structural Engineer" for telegraph infrastructures on existing electric poles means the field electrical engineers of Meghalaya Power Distribution Corporation Limited (MePDCL);
- xxix. "Urban areas" for the purpose of this Policy means all areas within a Municipality or as may be notified by State Government.
- xxx. "Rural areas" for the purpose of this Policy means all areas except within Urban areas as defined in this Policy.
- xxxi. "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 a Local Authority.'
- xxxii. "Policy" means the Meghalaya Telecom Infrastructure Amendment Policy, 2023, which is an amendment to the Meghalaya Telecom Infrastructure Policy, 2018, unless otherwise stated.

Words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

STATE LEVEL INSTITUTIONAL MECHANISM

- (2) To ensure sound decision making and responsive action, the Government of Meghalaya has set up an institutional mechanism by notifying and constituting the committees which are mentioned below along with their brief functions:

State Broadband Committee (SBC)

- (3) Aimed at the effective implementation of the National Broadband Mission and proliferation of broadband in the State, the Government of Meghalaya constituted the State Broadband Committee (SBC), chaired by the Chief Secretary, Government of Meghalaya. The objective of the SBC is to advice, either *suo-moto* or on a request from the Governing Council chaired by Hon'ble Minister of Communications, Government of India, or the Steering Committee, chaired by Secretary, Department of Telecommunications, on the matters relating to accomplishment of the objectives of the National Broadband Mission concerning the State.
- (4) The SBC also prepares State level guidelines, monitors, reviews and oversees the implementation of National Broadband Mission, aimed at providing Broadband for All in the State.

Working Committee

- (5) Under the State Broadband Committee (SBC), a State Level Working Committee has been constituted, chaired by the Head of the Information Technology & Communications (IT&C) Department, Government of Meghalaya, also as State Nodal Officer as defined in this Policy.
- (6) The key role of the Working Committee is to prepare the ground work for the SBC which includes initiatives such as drafting the Amendment to the Meghalaya Telecom Infrastructure Policy from time to time, and to take appropriate measures to achieve the objectives devised by SBC.

District Level Digital Connectivity Monitoring Committee

- (7) At the District levels, a District Level Digital Connectivity Monitoring Committee (DLDCMC) is constituted, and chaired by the respective Deputy Commissioners. The DLDCMC reviews and monitors the implementation of the Broadband and telecom infrastructure projects in the District.

NODAL DEPARTMENT

- (8) For facilitation in the implementation of this Policy the IT&C Department shall be Nodal Department. The Additional Chief Secretary / Principal Secretary/ Commissioner & Secretary/ Secretary whoever is in-charge of the Information Technology & Communications Department shall be the Nodal Officer.

LOCAL AUTHORITY FOR GRANTING PERMISSION

- (9) The Local Authority / Local Authorities for the purpose of giving the permission/ intimation / coordination for setting up of Telecom infrastructure as per this Policy is as follows:

Sr.	Area	Urban / Rural	Department	Local Authorities
1	Municipality Area	Urban	Urban Affairs Department	Chief Executive Officer/ Executive Officer
2	Private properties including land / buildings in Revenue Paying Estates and outside Municipality Area	Both	-	Deputy Commissioner (For intimation purpose only)
3	State Government owned property including land / buildings lying outside Municipality Area or Forest Area	Both		Deputy Commissioner
4	Forest land (* to be applied through Parivesh portal)	Urban & Rural	Forest & Environment Department	Divisional Forest Officer (Territorial)
5	State Road	Urban & Rural	PWD (Roads)	Executive Engineer (EE)
6	Overhead on electricity tower / poles	Urban & Rural	MeECL, MePDCL	Superintending Engineer (SE) / Executive Engineer (EE)

- (10) In case of any transfer, shuffling or retirement of the concerned Local Authority / District Nodal Officer (DNO) / any other official involved in the approval process, the 'Name, Designation, Email id & Mobile number' of the new incumbent official shall be intimated on priority to the Nodal Department, so that the changes can be updated on the applicable online portal, thereby ensuring smooth transition. The Personnel & Administrative Reforms Department will keep the IT&C Department informed with a copy of notification in case of any transfers /reshuffling of officials in their jurisdiction. Similarly, the parent Departments of Local Authorities will keep the IT&C Department informed with a copy of notification in case of any transfers /reshuffling of officials in their respective Department.

ESTABLISHMENT AND MAINTENANCE OF UNDERGROUND TELEGRAPH INFRASTRUCTURE

- (11) A licensee/ applicant shall apply on the Gati Shakti Sanchar portal, for setting up underground telegraph infrastructure, under the respective existing module.

Application

- (12) A licensee/ applicant shall, for the purposes of establishing, maintaining, working, repairing, transferring or shifting of telegraph infrastructure under any immovable property vested in or under the control or management of any local authority, make an application, supported by such documents, to that authority in such form and manner as may be specified by that local authority.
- (13) The information along with supporting documents to be provided by the licensee in the application made under this Policy shall include-
- (i) a copy of the license granted by the Union Government;
 - (ii) the details of underground telegraph infrastructure proposed 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 expects the work to be done during specific time of the day;
 - (v) the details of expenses that such local 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 the work;
 - (viii) any other matter relevant, in the opinion of the licensee, connected with or relative 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 Union Government or local State Government or Local Authority:

Provided that the licensee / 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 local authority shall necessarily be put in consequence of the work proposed to be undertaken.

- (14) Every application under this Policy shall be accompanied with such fee to meet administrative expenses for examination of the application and the proposed work as the local authority may, by general order, deem fit:

Provided that such fee to meet administrative expenses shall be as specified in Schedule-I of this Policy.

Grant of permission by Local Authority

- (15) The Local Authority shall 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 establishing, maintaining, working, repairing, transferring or shifting 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 local authority shall necessarily be put in consequence of the work proposed to be undertaken;
 - (e) the responsibility for restoration of any damage that the local authority may necessarily be put in consequence of the work proposed to be undertaken;
 - (f) assessment of measures to ensure public safety and inconvenience that the public is likely to be put to in consequence of the work proposed and the measures to mitigate such inconvenience indicated by the licensee;
 - (g) any other matter, consistent with the provisions of the Act and these rules, connected with or relative to the establishing, maintaining, working, repairing, transferring or shifting or maintenance of underground telegraph infrastructure, through a general or special order, by the Union Government, local State Government or the Local Authority.
- (16) The area of the underground telegraph infrastructure proposed for establishing, maintaining, working, repairing, transferring or shifting shall be the length of duct multiplied by the diameter of the duct multiplied by the number of the ducts.
- (17) The Local Authority shall be entitled to receive such compensation from the licensee, as specified in Schedule-III of this Policy, for the use of the property under which the underground telegraph infrastructure is proposed to be establishing, maintaining, working, repairing, transferring or shifting, as may be determined by the Local Authority.
- (18) The Local Authority shall within a period not exceeding sixty days from the date of application made:
- (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 and payment of restoration charge, as specified in Schedule-II of this Policy:
- Provided that where horizontal directional digging technology is used for establishing underground telegraph lines, restoration charges shall be levied for pits only; or
- (b) reject the application for reasons to be recorded in writing:
- Provided that no application shall be rejected unless the applicant licensee 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 Local Authority fails to either (i) grant permission or (ii) reject the application under this Policy;

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.

Provided further that for Forest areas, the timelines as per Forest (Conservation) Rules, 2022, shall be applicable.

- (19) Where the Local Authority accepts the undertaking by the licensee to discharge the responsibility to restore the damage that such local authority shall necessarily be put in consequence of the work, the local authority, while granting permission under this Policy, may invoke the bank guarantee for an amount, not exceeding the amount specified in Schedule-II of this Policy, in lieu of expenses for restoration of such damage, as security for performance in the discharge of the responsibility;
- (20) The local authority shall not charge any fee and compensation other than those prescribed under this Policy from the licensee / applicant for establishing, maintaining, working, repairing, transferring or shifting underground telegraph infrastructure.

Obligations of licensee in undertaking work.

- (21) The licensee shall make the payment of expenses as per this Policy or submit the Bank Guarantee as determined by the Local Authority within a period of thirty days from the date of grant of permission and prior to the commencement of work of laying the underground telegraph infrastructure:

Provided that the Local Authority may, at its discretion, extend the said period for payment of expenses or submission of bank guarantee on an application made by the licensee seeking such extension.

- (22) The licensee shall ensure that –
- (a) Prior to the commencement of work of laying the underground telegraph infrastructure and at all times during the execution of work, the measures to mitigate public inconvenience and provide for public safety are implemented; and
- (b) The work of laying underground telegraph infrastructure is carried out in accordance with the conditions specified in the grant of permission by the local authority.
- (23) The licensee shall ensure mapping of all underground telegraph infrastructure on Gati Shakti National Master Plan (NMP) portal for real-time information to all stakeholders, in which the Planning, Investment Promotion and Sustainable Development Department, Government of Meghalaya, is the Coordinating Department for mapping of all infrastructures. This will ensure positional intelligence of all underground telegraph infrastructures to enable the local authority to obtain real time information on its location.

- (24) Before commencement of the digging/ excavation activity, the Licensee / Applicant should update / feed the digging schedule, the coordinates of the route / digging activities in the CBuD Mobile App). The provisions of the Indian Telegraph (Infrastructure Safety) Rules, 2022, and its amendments, shall be applicable.
- (25) The local authority may supervise the execution of work to ascertain if the conditions imposed in the grant of permission under this Policy are observed by the licensee.
- (26) The local authority may, on the basis of such supervision, impose such other reasonable conditions as it may think fit.
- (27) If the local authority comes to the conclusion that the licensee has willfully violated any of the conditions under this Policy, for grant of permission, it may forfeit, in full or in part, the Bank Guarantee submitted by the licensee and withdraw the permission granted to the licensee, for reasons to be recorded in writing:

Provided that no action shall be taken under this Policy unless the licensee has been given an opportunity of being heard.

- (28) The licensee shall ensure mapping of all underground infrastructure on Gati Shakti National Master Plan (NMP) portal for real-time information to all stakeholders, in which the Planning, Investment Promotion and Sustainable Development Department, Government of Meghalaya, is the Coordinating Department for mapping of all infrastructures.
- (29) This will ensure positional intelligence, through local technology, of all underground telegraph infrastructures to enable the local authority to obtain real time information on its location.

Establishment of temporary overground telegraph infrastructure

- (30) 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 Local Authority.
- (31) No fee or compensation shall be charged by the Local Authority for the establishment of temporary overground telegraph infrastructure under this Policy.

ESTABLISHMENT AND MAINTENANCE OF OVERGROUND TELEGRAPH INFRASTRUCTURE

- (32) A licensee / applicant shall apply on the Gati Shakti Sanchar Portal for setting up overground telegraph infrastructure, under the respective existing module.

Application by a licensee

- (33) A licensee shall, for the purposes of establishing overground telegraph infrastructure, upon any immoveable property vested in or under the control or management of any local authority, make an application, supported by such documents, to that local authority in such form and manner as may be specified by that local authority.
- (34) The information along with supporting documents to be provided by the licensee in the application made under this Policy shall include-
- i. a copy of the licence granted by the Union Government;
 - ii. the nature and location, including exact latitude and longitude, of post or other
 - iii. above ground contrivances proposed to be established;
 - iv. (the extent of land required for establishment of the overground telegraph infrastructure;
 - v. the details of the building or structure, where the establishment of the overground telegraph infrastructure, is proposed;
 - vi. the copy of approval issued by the duly authorized officer of the Union Government for location of the above ground contrivances proposed to be used for the transmission of Radio waves or Hertzian waves;
 - vii. the mode of and the time duration for, execution of the work;
 - viii. the inconvenience that is likely to be caused to the public and the specific
 - ix. measures proposed to be taken to mitigate such inconvenience;
 - x. the measures proposed to be taken to ensure public safety during the execution of the work;
 - xi. the detailed technical design and drawings of the post or other above ground contrivances;
 - xii. certification of the technical design by the structural engineer as defined in this Policy, attesting to the structural safety, of the overground telegraph infrastructure;
 - xiii. certification, by the structural engineer, as defined in this Policy, attesting to the structural safety of the building, where the post or other above ground contrivances is proposed to be established on a building;
 - xiv. the names and contact details of the employees of the licensee for the purposes of communication in regard to the application made;
 - xv. any other matter relevant, in the opinion of the licensee, connected with or relative to the work proposed to be undertaken; and
 - xvi. any other matter connected with or relevant to the work as may be specified, through a general or special order, by the Union Government or local State Government or local authority.

Provided that the documents mentioned in clauses (ii), (iii), (v) (ix), (x) and (xi) above shall not be required in case of application made for establishment of overground telegraph line:

Provided further that the documents related to route plan for establishment of overground telegraph line shall be required to be provided by the licensee with the application made for establishment of overground telegraph line.

- (35) Every application under this Policy shall be accompanied with such fee to meet administrative expenses for examination of the application and the proposed work as the local authority may, by general order, deem fit:

Provided that the one-time fee, to meet administrative expenses, accompanying every application as per amount specified in Schedule-I of this Policy.

Grant of permission by local authority

- (36) The local authority shall examine the application with respect to the following parameters, namely: -
- (a) the extent of land required for the overground telegraph infrastructure;
 - (b) the location proposed;
 - (c) the approval issued by the duly authorized officer of the Union Government for location of the aboveground contrivances proposed to be used for transmission of Radio waves or Hertzian waves;
 - (d) the mode of and time duration for execution of the work;
 - (e) the estimation of expenses that the local authority shall necessarily be put
 - (f) in consequence of the work proposed to be undertaken;
 - (g) assessment of the inconvenience that the public is likely to be put to in consequence of the establishment or maintenance of the overground telegraph infrastructure, and the measures to mitigate such inconvenience indicated by the licensee;
 - (h) certification of the technical design by a structural engineer attesting to the structural safety of the overground telegraph infrastructure;
 - (i) certification, by a structural engineer, of the structural safety of the building on which the post or other above ground contrivances is proposed to be established;
 - (j) any other matter, consistent with the provision of the Act and these rules, connected with or related to the laying of overground telegraph infrastructure, through a general or special order or guidelines by the Union Government, local State Government or the local authority:

Provided that the parameters mentioned in clauses (a), (b), (c), (g) and (h) above shall not be necessary for examination of the application made for establishment of overground telegraph line:

Provided further that the local authority shall examine the route plan for the proposed overground telegraph line and the possible interference regarding the establishment or maintenance of such overground telegraph line with regard to any other public infrastructure that may have been laid along the proposed route:

- (a) The area of the overground telegraph infrastructure (mobile tower) proposed to be established shall be the area occupied by the mobile tower and the

supporting infrastructures, such as base transceiver station, diesel generator, etc.

- (b) Where the establishment of the overground telegraph infrastructure renders the immoveable property, vested in the control or management of any Local Authority over which such overground telegraph infrastructure is established, unlikely to be used for any other purpose, the Local Authority shall be entitled to compensation for the value of the immoveable property, as per Schedule-III of this Policy.

Provided that the compensation payable for the immovable property for the establishment of poles for installation of small cells and telegraph line shall be as specified in Schedule-III of this Policy.

- (37) The Local Authority shall, within a period not exceeding sixty days from the date of application made under this Policy:
 - (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 and payment of restoration charge, not exceeding the amount specified in Schedule-II of this Policy, or compensation, as specified in this Policy or
 - (b) reject the application for reasons to be recorded in writing:

Provided that no application shall be rejected unless the applicant licensee 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 local authority fails to either (a) grant permission or (b) reject the application 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:

Provided the deemed approval provisions of sixty days pertaining to overground telegraph infrastructure shall be distributed as follows:

- (a) At the level of the official scrutinizing the applications (Level-1): 45 days
- (b) At the level of the Local Authority who grants the final permission (Level-2): 15 days

Provided further that for Forest areas, the timelines as per Forest (Conservation) Rules, 2022, shall be applicable.

- (38) The validity of all approvals issued by Local Authority under this Policy shall be co-terminus with the license validity issued to the licensee by the Department of Telecommunications. The maximum timeline of sixty days for processing the application by Local Authority is also applicable under the Meghalaya Right to Public Services Act, 2020.
- (39) The licensee shall restore the damage incurred in case of establishment of poles for installation of Small Cells and telegraph line.

- (40) The local authority shall not charge any fee and compensation other than those mentioned under this Policy, from the licensee for establishing, maintaining, working, repairing, transferring or shifting overground telegraph infrastructure.
- (41) The application under this Policy, shall be accompanied with such fee as may be determined by the local authority to meet administrative expenses for examination of the application, which shall be as specified in Schedule-I of this Policy.
- (42) The local authority shall, within a period not exceeding sixty days from the date of application made, grant permission or reject the application for reasons to be recorded in writing:
Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard on the reasons for such rejection:
- Provided further that the permission shall be deemed to have been granted if the local authority fails to either grant permission or reject the application.

Establishment of telegraph infrastructure over private property

- (43) Where the licensee proposes the establishment of overground telegraph infrastructure over any private property, the licensee shall not require any permission from the local authority:
Provided that in case of establishment of mobile tower or pole over a private building or structure, the licensee shall submit in writing, to the local authority, prior to commencement of such establishment the details of the building or structure, where the establishment of mobile tower or pole is proposed, and a copy of certification by the qualified Structural Engineer, as defined in this Policy, attesting to the structural safety of the building or structure, where the mobile tower or pole is proposed to be established.

Obligations of licensee in undertaking work

- (44) The licensee shall ensure that:
- (a) prior to the commencement of establishment and maintenance 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;
 - (b) the work of establishment and maintenance of overground telegraph infrastructure is carried out in accordance with the conditions specified in the grant of permission by the local authority.
- (45) The licensee shall ensure mapping of all overground infrastructure on Gati Shakti National Master Plan (NMP) portal for real-time information to all stakeholders, in which the Planning, Investment Promotion and Sustainable Development Department, Government of Meghalaya, is the Coordinating Department for mapping of all infrastructures.

- (46) This will ensure positional intelligence, through local technology, of all overground telegraph infrastructures to enable the local authority to obtain real time information on its location.

Powers and duties of local authority

- (47) The local authority may supervise the establishment and maintenance of overground telegraph infrastructure, including infrastructure at private properties, to ascertain if the provisions of this Policy or conditions imposed in the grant of permission under this Policy are adhered to by the licensee.
- (48) The local authority may, based on such supervision, impose such other reasonable conditions, as it may think fit.
- (49) If the local authority concludes that the licensee has willfully violated any provisions of this Policy or the conditions for grant of permission under this Policy, it may initiate action as per this Policy and / or withdraw, for reasons to be recorded in writing, the permission granted to the licensee:
Provided that no action shall be taken under this Policy unless the licensee has been given an opportunity of being heard.

ESTABLISHMENT AND MAINTENANCE OF TELECOM INFRASTRUCTURE ON STREET FURNITURE

- (50) For the usage of street furniture for installation of small cells and telegraph line, licensee shall for the purpose of installation of small cell and telegraph line submit an application, along with details of street furniture and a copy of certification by the structural engineer as defined in this Policy or field electrical engineers in case of Meghalaya Power Distribution Corporation Limited (MePDCL), attesting to the structural safety of the electric poles being used as street furniture where installation of small cells and telegraph line is proposed to be deployed, to the local authority for permission to use street furniture for installation of small cells and telegraph line.
- (51) The application under this Policy shall be accompanied with such fee as may be determined by the appropriate authority to meet administrative expenses for examination of the application, which shall not exceed the amount specified in Schedule-I.
- (52) The licensee shall have the option of submitting single application for multiple sites and the Local Authority shall make due provisions for accepting such applications and issuing single permission for multiple sites accordingly for establishment of small cells.
- (53) The appropriate authority shall, within a period not exceeding sixty days from the date of application made, grant permission or reject the application for reasons to be recorded in writing:

Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard on the reasons for such rejection:
Provided further that the permission shall be deemed to have been granted if the appropriate authority fails to either grant permission or reject the application.

Provided further that for Forest areas, the timelines as per Forest (Conservation) Rules, 2022, shall be applicable.

- (54) The Local Authority /State Government shall be entitled to receive such compensation from the licensee for assets belonging to the State Government, not exceeding the amount specified in Schedule-III of this Policy, for use of street furniture for installation of small cells and telegraph line, as may be determined by the Local Authority.
- (55) 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 fixtures etc. provided by building owners as per actuals and licensee shall restore the damage done during deployment of small cells.

ESTABLISHMENT AND MAINTENANCE OF TELECOM INFRASTRUCTURE ON STATE GOVERNMENT BUILDINGS AND PREMISES

- (56) The Government of Meghalaya, through the Administrative Authority as defined in this Policy, may grant permission in the form of a No-Objection Certificate (NOC) to lease out Government land and building including that of Public Sector Undertaking to any licensed TSP/IPs operating in the State, also referred to Licensee / Applicant, on non-exclusive basis for installing Ground Based Tower / Mast / Roof Top Tower, for facilitating better telecom connectivity in accordance with the guidelines issued in the matter by Government of India and the Government of Meghalaya from time to time subject to the satisfaction of the conditions in this section and relevant provisions of this Policy.
- (57) Licensee / Applicant shall have to first take No-Objection Certificate (NOC) from the concerned Head of the office for leasing out Government land and building including that of Public Sector Undertaking under the administrative control of him / her for installation of telecom tower. For getting NOC from Head of office, the Licensee / Applicant shall have to submit copy of Structural stability certificate for ground-based tower and in case of roof top tower, structural stability certificate for the building and tower, from a qualified Structural Engineer. Head of office may take necessary internal permissions from head of Department before issuing NOC. Further expansion / extension of the building / premises should be considered by the concerned Department.
- (58) The compensation for land or roof top in case of establishment of overground telecommunication infrastructure in Government land / building shall be as per Schedule-III.
- (59) There shall be levied neither application fee nor compensation for erecting poles for providing support to overground telecommunications line including poles between existing poles.

- (60) The tower being constructed at Government land / Building is to be shared with any other Licensee / Applicant.
- (61) The Licensee / Applicant shall have no right or claim over any Government building / premises in the light of this Policy for granting permission for installing Ground based towers and roof top towers. It shall be discretion of the Head of the office / Head of Department to take appropriate decision for allowing the installation of Ground based towers / mast and roof top towers on lease rent basis. The permissive sanction does not force any Department to grant permission.
- (62) Telecom companies providing services should comply with all regulations and stipulations, Policy / Rules issued by the Government of Meghalaya and the Government of India from time to time including that of the Ministry of Civil Aviation, the Electromagnetic radiation (EMR) guidelines etc.
- (63) Damage caused to the building / assets / land, if any, shall be rectified by the TSP / IP to bring back to the original condition and to the satisfaction of the authorities concerned. The Licensee / Applicant will be solely responsible for any damage / losses to the property / people due to any accidents occurring because of the tower / telecom infrastructure.
- (64) Leasing of premises or buildings to Licensee / Applicant should not be detrimental to the daily routine activities of the office / officer concerned.
- (65) The Licensee / Applicant shall endeavor to provide internet connectivity (2Mbps to 10Mbps) as per the Agreement to be signed) free of cost to the office where the Ground based towers and Roof top tower are erected.

DEPLOYMENT OF CELL ON WHEELS (COW) & IBS

- (66) Formal clearance or permit or fees will not be applicable for installation of Cell on Wheel (COW). The COW can be placed maximum for thirty days normally without permission of Local Authority. In case the deployment is more than 30 days owing to any reason, permission from concerned Local Authority is required for a period not exceeding 90 days. Before installation of COW, prior formal intimation in writing to the following authorities within its jurisdiction should be given preferably 15 days before the installation of COW mentioning Geo coordinate (Lat-Long) positions:
 - i. The Deputy Commissioner/ Superintendent of Police of the concerned district.
 - ii. Concerned officer in charge of the police station of the area where the COW is going to be installed.
- (67) The In-Building Solution (IBS) component being a small equipment that can be installed on any type of land / building / utility pole, formal permission from Local Authority for installation of IBS components shall not be applicable. Further, there shall be no applicable fees for IBS.

ELECTRICITY CONNECTION & POLES

- (68) Electricity, being a subject in the Concurrent List in the Seventh Schedule of the Constitution of India, the State Electricity Distribution Company – Meghalaya Power Distribution Corporation Limited (MePDCL) and Meghalaya Energy Corporation Limited (MeECL) will accord priority in providing electrical power connection and will provide all necessary support for telecom infrastructures including permission to leverage poles for overground OFCs, the rates of which

are fixed by the Meghalaya State Electricity Regulatory Commission (MSERC) and revised from time to time.

- (69) The Rates for Electricity Pole usage charges per year shall be applicable as notified by Meghalaya Power Distribution Corporation Limited / Meghalaya Energy Corporation Limited, from time to time.
- (70) As the TSP/IP are providing /supporting Telecom services the planned temporary power shut-down to telecom installation shall not be done without prior notice to the concerned TSP/IP at least 5 days in advance.

GATISHAKTI SANCHAR PORTAL (GSSP)

- (71) The 'Gati Shakti Sanchar Portal' is a collaborative institutional mechanism between all stakeholders including Union and State/Union Territory (UT) Government(s), Local bodies, and Telecom Service Providers to facilitate the Right of Way (RoW) Application Process through a single interface.
- (72) This portal envisages bringing transparency, accountability and responsiveness to all stakeholders while processing the application. Aimed at leapfrogging towards "Ease of Doing Business", the digital infrastructure maintains a fast-tracking application process to overcome the challenges of implementation of Right of Way Rules 2016 and its subsequent amendments. This provides a robust mechanism to achieve the goal of 'Broadband to All' as envisaged in the National Digital Communication Policy, 2018.
- (73) The Gati Shakti Sanchar Portal enables licensees or applicants including Telecom Services Providers (TSPs), Infrastructure Providers (IPs), Internet Services Providers (ISPs) etc. to apply for RoW approvals for laying Optical Fiber Cables (OFC) and erecting Telecom infrastructures like Towers, etc., to submit their applications to various Local Authorities defined under this Policy. The Gati Shakti Sanchar Portal is accessible at <https://gatishaktisanchar.gov.in>

CALL BEFORE YOU DIG (CBUD) APP

- (74) The 'Call Before u Dig' (CBuD) mobile application is an initiative of the Department of Telecommunications (DoT), Ministry of Communications, aiming to prevent damage to underlying assets like optical fibre cables that occurs because of uncoordinated digging and excavation.
- (75) The CBuD app connects excavators and asset owners through Short Message Service (SMS) /Email notifications and 'click-to-call' feature so that there are planned excavations while ensuring the safety of underground assets.
- (76) It aims to give excavating companies a point of contact, where they can inquire about existing subsurface utilities before starting excavation work. Utility owners can also find out about impending work at the location.
- (77) The Indian Telegraph (Infrastructure Safety) Rules, 2022 vide notification no. GSR.06(E) dated 3rd January 2023 of the Department of Telecommunications (DoT), Ministry of Communications, mentions the procedure for exercising of

legal right to dig or excavate any property. Further, in case of any damage to a telegraph infrastructure, the person who has dug or excavated the property, shall be liable to pay the damage charges to the telegraph authority, and the damage charges shall be computed based on such expenses as may be incurred in restoring damages.

- (78) While issuing approval to the person for exercising legal right to dig or excavate, the issuing authority shall include the following provisions, inter alia, in the approval:

“The licensee under Rule 2(c) of the Indian Telegraph Infrastructure Safety Rules 2022 includes scope of IP-1 registrants authorized to establish and maintain the assets such as dark fibers right of way duct space and tower for the purpose of granting the same on lease rent sale basis to the licenses of telecom services licensed under Section 4 of the Indian Telegraph Act 1885 on mutually agreed terms and conditions. The IP-1 registrants shall in no case work and operate or provide Telegraph service including end to end bandwidth as defined in the Indian Telegraph Act, 1885, either to any service provider or to any other customer.”

PARIVESH: APPLICATION FOR FOREST AREAS

- (79) The ‘Pro Active and Responsive facilitation by Interactive and Virtuous Environmental Single-window Hub’ (PARIVESH) is a web based, role-based workflow application which has been developed by the Ministry of Environment, Forest and Climate Change, for online submission and monitoring of the proposals submitted by the proponents for seeking Environment, Forest, Wildlife and Coastal Regulation Zone (CRZ) Clearances from Union, State and district level authorities. It automates the entire tracking of proposals which includes online submission of a new proposal, editing/updating the details of proposals and displays status of the proposals at each stage of the workflow. The website is accessible at <https://parivesh.nic.in>
- (80) As per Forest (Conservation) Act, 1980, for setting up telecom infrastructure in Forest Areas, the Licensee / Applicant needs to apply on the Parivesh Portal of the Ministry of Environment, Forest and Climate Change.
- (81) The Licensee / Applicant will also need to apply on the Gati Shakti Sanchar Portal of Department of Telecommunications, Ministry of Communications as per provisions of this Policy.
- (82) Before commencement of works, the Licensee / Applicant shall ensure that approval has been received from both the concerned authorities of (i) Parivesh portal and (ii) Gati Shakti Sanchar Portal.

REMOVAL OF TELEGRAPH INFRASTRUCTURE

Right of Local Authority to seek removal

- (83) Where the local 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 immoveable property vested in or under the control or management of that local authority, considers that it is necessary and expedient to remove or alter such telegraph infrastructure, it shall issue a notice to the licensee, being the owner of such telegraph infrastructure, to remove or alter its location.

- (84) On receipt of the notice under this Policy the licensee shall, forthwith and within a period of thirty days, proceed to submit, to the local authority, a detailed plan for removal or alteration of such telegraph infrastructure.
- (85) The local authority shall, after examination of the detailed plan submitted by the licensee under this Policy pass such orders as it deems fit:

Provided that the local authority shall, having regard to emergent and expedient circumstances requiring the removal or alteration of telegraph infrastructure, give a reasonable time of not less than ninety days to the licensee for removal or alteration of such telegraph infrastructure:

Provided that the local authority shall, having regard to emergent and expedient circumstances endangering public safety, require the removal or alteration of such telegraph infrastructure, by giving a reasonable time as deemed appropriate to the licensee 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 licensee.

Provided further that for the purpose of this section, the Licensee / Applicant shall include its successors and assigns.

ZERO SEALING & EXCEPTION

- (86) In order to avoid disruption in mobile communication which is an essential service, sealing of mobile communication towers may not be resorted to without the consent of the North East License Service Area (NE LSA), of the Department of Telecommunications (DoT), Shillong, in case of any complaint or matter related to Electro Magnetic Radiation (EMR) emission from Telecom installations. However, disconnection of electricity may be resorted to as per MSERC (Electricity Supply Code) Regulation, 2018. Further, no coercive action shall be taken against the TSPs / IPs on their telecom infrastructure without giving an opportunity of being heard, except in cases where the concerned TSP / IP has abandoned the telecom infrastructure.
- (87) In case of any grievances of the public relating to Telecom Infrastructure and issues related to Electro Magnetic Radiation (EMR) emission from Telecom installations, the District Level Digital Connectivity Monitoring Committee (DLDCMC) will examine the matter within 90 (ninety) days including consultations with stakeholders in the District and the NE LSA, DoT, Shillong. However, in spite of the best efforts of the DLDCMC, if any unresolved issues exist, the DLDCMC may escalate the matter to the State Broadband Committee (SBC) through the Nodal Department.

DISPUTE RESOLUTION

- (88) Any dispute arising between a licensee and the local authority in consequence of these rules, shall be referred to the officer designated by the Union Government.
- (89) The Union Government shall designate, by notification, officers with such jurisdiction as may be mentioned in the notification, for the purpose to referring disputes under this Policy.
- (90) The officer designated by the Union Government shall determine the disputes referred to in this Policy within a period not exceeding sixty days in such manner as may be specified by the Union Government from time to time.

PENALTY

- (91) If a licensee violates any provision of this Policy, it shall be liable to be penalized as per following terms and conditions:
 - (a) As soon as Local Authority comes to know that any provision of this Policy has been violated, a show cause will be issued to the concerned licensee TSP/IP. The concerned licensee TSP/IP should reply within fifteen (15) days from date of service of notice.
 - (b) If reply is not satisfactory, the licensee TSP / IP may be levied penalty upto 1 (one) lakh by the Local Authority.
- (92) Notwithstanding anything mentioned in the preceding para, the penalty may be exempted by the Nodal Department in events like natural calamities, visits of VVIP, General Election, etc.

MISCELLANEOUS

- (93) The provisions of the Forest Conservation Act, 1980, and the rules made thereunder shall be applicable for Forest land, wherever the concerned Local Authority is the Divisional Forest Officer (Territorial).
- (94) The objective of this Policy is to also improve the Digital Communications Readiness Index (DCRI) of the State. This Index will reflect the activities and interventions undertaken by the line Departments in the applicable sectors of the State, and hence the support and coordination of all concerned State Departments / agencies / stakeholders will be pertinent to ensure improvements in the DCRI ranking for the State. The broad DCRI framework is at Schedule-IV.
- (95) The Nodal Department will encourage skilling and upskilling in the Telecom sector by collaborating with appropriate agencies aimed at bridging the demand supply gap in talented workforce, including leveraging of initiatives by the telecom corporate sector such as through Corporate Social Responsibility (CSR).

CHANGES IN THE POLICY

- (96) This Policy 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 to keep this Policy dynamically responsive to changing technology, regulatory regime or any other unforeseen development. The Nodal Department shall be competent to notify changes in the Policy as and when required with approval of the State Cabinet.

SCHEDULE-I: ONE-TIME FEE

Sr	Particulars	Onetime fee in ₹
(i)	For establishment of underground telegraph infrastructure	₹1000 per kilometer
(ii)	For establishment of overground telegraph infrastructure	(i) ₹10,000 for establishment of Towers (ii) ₹1000 per kilometer 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) ₹1000 per pole for establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of appropriate authority, other than appropriate central authority.
(iii)	For Establishment of temporary over ground telecom infrastructure	Nil
(iv)	For installation of small cells and telegraph line using the street furniture	Nil
(v)	For the deployment of small cells on building or structures vested in or under the control of appropriate central authorities.	Nil

SCHEDULE-II: CHARGES FOR RESTORATION

Sr.	Particulars	Fees in ₹
(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.
(b)	Bank guarantee as security for performance in case of establishment of underground telegraph infrastructure where undertaking is given by the licensee to discharge the responsibility to restore the damages	20% of the sum required to restore the 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.
(c)	Establishment of overground telegraph infrastructure	<p>20% of the sum required to restore the 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.</p> <p>Further licensee shall restore the damage incurred in case of establishment of poles for installation of Small cells and telegraph line.</p>

SCHEDULE-III: COMPENSATION

Sr.	Particulars	Amount in ₹
(i)	Establishment of underground telegraph infrastructure	Nil
(ii)	For Establishment of temporary overground Telegraph infrastructure	Nil
(iii)	Establishment of Overground infrastructure	Rates as the Appropriate Authority may, by general order, specify, if such property cannot be used for any such other purpose. However, for establishment of Poles for installation of small cells and telegraph line, compensation shall be Nil.
(iv)	Usage of Street Furniture for installation of small cells and Telegraph line	(a) For installation of small cells: ₹ 300 per annum for Urban areas and ₹ 150 per annum for Rural areas per Street Furniture, except for MeECL Poles. (b) For installation of Telegraph line: ₹ 100 per annum per street furniture, except for MeECL Poles.
(v)	For the deployment of small cells on building or structures vested in or under the control of appropriate central authorities	Nil

Sr	Particulars	Urban areas (₹)	Rural areas (₹)
(i)	Land usage compensation for Ground Based Towers for 5 years, applicable to State Govt. land only	500 per sq. ft.	250 per sq. ft.
(ii)	Roof top usage compensation for Roof Top Towers for 5 years, applicable to State Govt. buildings only	800 per sq. ft.	400 per sq. ft.

SCHEDULE-IV: DIGITAL COMMUNICATIONS READINESS INDEX

Overview of DCRI: Digital Communications Readiness Index

