

Government of Odisha

Electronics and Information Technology Department

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Letter No. 2411 /E&IT

Dated. 27.07.2022

EIT-DEV-III-NET-0004-2017

Bhubaneswar

**RESOLUTION**

Sub: **Amendment to Odisha Mobile Towers, OFC (Optical Fibre Cable) and related Telecom Infrastructure Policy, 2017**

In order to expedite approval of Telecom Infrastructure establishment and also to align the State Telecom Policy with the Central Rule, the State Cabinet in its 45<sup>th</sup> meeting held on 19.07.2022 as communicated by Parliamentary Affairs Department vide their Memo No. 4143, dated 19.07.2022 has approved the following amendments in the Odisha Mobile Towers, OFC (Optical Fibre Cable) and related Telecom Infrastructure Policy, 2017.

<b>Existing Clause in Odisha Mobile Towers, OFC and related Telecom Infrastructure Policy, 2017</b>	<b>Amended/ Added Clause</b>
1. Short title, extent, applicability and commencement:  (a) This Policy may be called the "Odisha Mobile Towers, OFC and related Telecom Infrastructure Policy, 2017"	1.(a) This policy may be called the "Odisha Mobile Towers and telegraph line, OFC and related Telecom Infrastructure Policy, 2017"
5.1.4. Procedure for submitting application for establishment of Mobile Tower: The Applicant shall submit application with all the relevant information mentioned in the specified form as annexed (Appendix-A) to the office of local Authority for the area in which they want to install mobile tower. The concerned Local Bodies will issue permit to the licensee. "Following information and	5.1.4. Procedure for submitting application for establishment of Mobile Tower: The Applicant shall submit application with all the relevant information mentioned in the specified form as annexed (Appendix-A) to the office of local Authority for the area in which they want to install mobile tower. The concerned Local Bodies will issue permit to the licensee. "Following



<p>supporting documents are required to be attached along with the applications for establishment of Mobile Tower:"</p>	<p>information and supporting documents are required to be attached along with the applications for establishment, maintenance, working, repairing, transferring or shifting of Mobile Tower:"</p>
<p>5.1.8. In case of rejection of application or delay in giving permission, the TSP/IP may prefer an appeal to the DTC within 15 days of such rejection. If the TSP/IP is not convinced with the decision of the DTC, they may prefer an appeal before the STC within 30 days of such decision of DTC and DTC &amp; can also refer to Central Government nominee in term of clause 4.2.2</p>	<p>5.1.8. "The permission shall be deemed to have been granted in case of delay in giving permission by the appropriate authority, 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."</p> <p>5.1.8 (i) "In case of rejection of application or delay in giving permission, the TSP/IP may prefer an appeal to the DTC within 15 days. If the TSP/IP is not convinced with the decision of DTC, they may prefer an appeal before the STC within 30 days of such decision of DTC. DTC and STC shall communicate the decision in writing to the applicant within five working days after decision is taken."</p>
<p>5.5.2. Grant of permission by appropriate authority:</p> <p>(2) The appropriate authority shall within a period not exceeding sixty days from the date of application made for establishment or maintenance of underground telegraph infrastructure (OFC)</p> <p>(i) 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</p> <p>(ii) Reject the application for reasons</p>	<p>5.5.2(2.iv) "The permission shall be deemed to have been granted if the appropriate authority fails to either grant the permission or reject that application within 60 days from the date of application made. The same shall be communicated in writing to the applicant not later than five working days after permission is deemed to have been granted.</p> <p>5.5.2(2.v) In the event of the applicant not receiving any such communication within five working days, the applicant on giving a written intimation to the authority can commence the work of underground (optical fibre</p>

<p>to be recorded in writing;</p> <p>(iii) However, no application shall be rejected unless the Applicant has been given an opportunity of being heard on the reasons for such rejection.</p>	<p>infrastructure) telegraph infrastructure.”</p>
<p>5.7 Implementation Procedure:</p> <p>i. The Service Provider will start work in the District after fulfilling all the conditions. The service provider will have to inform the date of start of work to the Department of Electronics and Information Technology, Concerned Collector and Local authorities as the case may be.</p> <p>ii. If any damage is caused to the Government property by the work of the Applicant, then it will be responsibility of the Applicant to restore the same at his own cost or compensate the damage. If delivery of service is affected then the Applicant must restore the service within 24 hours and the Applicant will have to carry out the work according to the instructions of the concerned Department.</p> <p>iii. The Applicant will have to install the optical Fibre at a safe distance from the electricity wires while using electric poles.</p> <p>iv. In case the Department intends to increase the width of the road then the Applicant will have to shift the trench dug by it to the safe distance on its own cost at the place suggested by the agency.</p> <p>v. The Applicant would have to inform the concerned Department 3 days in advance about repair or maintenance work in cases where such</p>	<p>5.7 Implementation Procedure:</p> <p>(vii) In case where the Aerial (over ground) OFC Laying is established over the immovable property, vested in the control or management of any appropriate authority, then in such cases, one time compensation shall be payable for the value of the immovable property, not exceeding one thousand rupees per kilometer.</p>

<p>maintenance planned in advance.</p> <p>vi. If the private land or structures are to be used in this work then the Applicant has to give compensation for the private land or the crop as the case may be.</p> <p>In case of any conflict, the decision of the District Collector shall be binding on both parties.</p>	
<p>5.10 Right of Way (RoW) using electricity Pole and other utility Structures of the Government for Aerial Optical Fibre Cable laying :—</p> <p>i.Right of Way (RoW) for Aerial OFC laying will be encouraged in the hill area or as per the decision of the District Administration.</p> <p>ii.The Applicant will make the agreement with the concerned Electricity Distribution Company (DISCOM) for the utilization of the electric poles/ distributed network system.</p> <p>iii.Energy Department / DISCOMs shall not be held responsible for any loss to the cable or the commercial operation loss to the Applicant due to theft or for any other reason whatsoever. The safety of the cable shall be entirely with the Applicant.</p> <p>iv.The Applicant will submit application with the right of usage of the utility pole in the offices of Local Authority. If the Local Authority finds the application in compliance with the entire requirement, then will issue the permit to the applicant within the prescribed time. Application with the document as mentioned in 5.5.1.a shall be submitted in addition to details of number of poll to be used</p>	<p>5.10(vi)"The permission shall be deemed to have been granted if the appropriate authority fails to either grant the permission or reject that application within 60 days from the date of application made. The same shall be communicated in writing to the applicant not later than five working days after permission is deemed to have been granted".</p> <p>5.10 (vii) "In the event of the applicant not receiving any such communication within five working days, the applicant on giving a written intimation to the authority can commence the work of Aerial Optical Fibre Cable laying."</p>

and routes chart.

v.If the route of aerial cabling is covering more than one jurisdiction, the Applicant will apply separately to the Local Authorities of the respective jurisdiction for issue of permit.

These amended provisions will come into force with immediate effect.

**ORDER:** Ordered that Resolution be published in an extraordinary issue of the Odisha Gazette and copies of the Resolution be forwarded to all Departments of the Government.

By Order of Governor

(Manoj Kumar Mishra)

Secretary to Government

Memo No. 2412 /E&IT,

Dated 27.07.2022

Copy forwarded to the Director, Printing, Stationery and Publications, Odisha, Cuttack for immediate publication in the extra ordinary issue of Odisha Gazette and supply 200 copies of the Resolution to this department.

Secretary to Government

Memo No. 2413 /E&IT,

Dated 27.07.2022

Copy forwarded to the Principal Secretary to Governor, Odisha / ACS to Chief Minister / Private Secretary to all Ministers / OSD to Chief Secretary / Private Secretary to Development Commission-cum-Additional Chief Secretary for favour of kind information of Governor /Chief Minister / All Ministers /Chief Secretary / Development Commissioner-cum-Additional Chief Secretary respectively.

Secretary to Government

Memo No. 2414 /E&IT,

Dated 27.07.2022

Copy forwarded to all Departments of Government/ All Heads of Departments /All

Revenue Divisional Commissioners/ All Collectors / Principal Resident Commissioner, Government of Odisha, Odisha Niwas, New Delhi- 110021 / Additional Secretary, Meity, New Delhi, Govt. of India, All Public Sector Undertakings/ SIO, NIC, Bhubaneswar / Accountant General (A&E), Odisha, Bhubaneswar for information.

Secretary to Government

Memo No. 2415 /E&IT,

Dated 27.07.2022

Copy forwarded to Sr. DDG, Odisha LSA, Department of Telecommunications/ All Telecom Service Providers/ All Infrastructure Providers for information.

Bischoyram  
Joint Secretary to Government

No. 2416 /E&IT,

Dated 27.07.2022

Copy forwarded to Parliamentary Affair Department for information with reference to their Memo No. 4143, dated 19.07.2022.

Bischoyram  
Joint Secretary to Government

Memo No. 2417 /E& IT,

Dated 27.07.2022

Copy forwarded to Head State Portal Group, IT Centre, Secretariat, Bhubaneswar to hoist the Resolution Policy in the Government Website as well as Website of E&IT Department for wide circulation.

Bischoyram  
Joint Secretary to Government

Memo No. 2418 /E&IT,

Dated. 27.07.2022

Copy forwarded to CMD, IDCO/ MD IPICOL / Director, STPI / Director, IIIT, Bhubaneswar/ Md, OKCL / General Manager(Admn.), OCAC / All Section, E&IT Department for information and necessary action.

Bischoyram  
Joint Secretary to Government