

GOVERNMENT OF KERALA

Abstract

Information Technology Department –Granting Rights of Way permission to lay Optic fibre cables along State Highways, and other road networks-Sanction accorded - orders issued

INFORMATION TECHNOLOGY DEPARTMENT

G.O.(MS)No 18/2000/ITD.

Dated, Thiruvananthapuram, 8-11-2000

Read:- (1) D.O letter No. 10-1/2000-BS – II/ Vol I, dated: 24.8.2000 from Union

Telecommunication Minister to Chief Minister.

(2) G.O (Rt) No. 140/2000/ITD dated 19.07.2000.

ORDER

One of the major objectives of the State's IT policy is to set up a state-of-the-art information Infrastructure for Kerala (State Information Infrastructure- SII) in order to ensure high speed and reliable backbone connectivity throughout the State for IT development. The IT policy further envisages that the establishment of the State Information Infrastructure may be carried out with the active participation of the private sector so that adequate bandwidth is available at affordable rates. Such a State Information Infrastructure would essentially have to be fibre optic based, to facilitate multimedia i.e voice, data and video, and broadband communication.

(2) A number of agencies at the Central Government level, including the National Highways, the Railways and the National Power Grid Corporation, and several State Governments, have declared policy initiatives to encourage investments in building OF cable networks (in addition to the DoT's existing network) and for grant of single window clearance for expeditious implementation. These policies facilitate laying of fibre optic (OF) cables along communication networks, including roadways and power transmission lines, for registered Internet Service Providers (ISPs) and other telecom licensees.

(3) In this regard, the Ministry of Information Technology of Government of India had, in the meeting of IT Ministers and Chief Ministers held at Delhi in July 2000, had circulated a set of guidelines to facilitate rights of way access. The major suggestions in this guidelines are that the rights of way shall be provided free of cost to the licensees and that licensees should be facilitated to lay the network in the minimum possible time by giving ROW clearance in a stipulated timeframe (say 2 weeks) through an appropriate consensus building coordination mechanism at the State level.

(4) Subsequently, vide letter referred (1) above, Government of India have forwarded a model set of guidelines to be followed by the State Governments for issuing rights of way permissions across State highways and other public properties.

(5) Government of Kerala having received investment proposals for laying fibre optic cables along state properties ordered vide G O cited (2) above, that a Committee comprising Principal Secretary (Finance), Principal Secretary (PWD), Secretary (Finance Resources), Secretary (Local Self Government -Urban), Secretary (Local Self Government -Rural) and Secretary (IT) may look into the matter and make appropriate recommendations. This Committee was also mandated to examine afresh the earlier World Tel Project, as well as a subsequent proposal submitted by M/s. Reliance Industries to set up kiosks in joint venture with State Government, in the light of the proposed rights of way policy. On careful

consideration of the recommendations of the Committee of Secretaries, Government is pleased to order the following:

- a) Rights of way shall be given to investors desirous of establishing communication infrastructure, including registered Internet Service Providers (ISPs) and telecom licensees on a non-exclusive basis along the road network in the state without charging track rentals.
- b) Regarding National Highways, the terms of rights of way shall be as fixed by Government of India from time to time.
- c) The permission to use rights of way shall be given for a period of fifteen years.
- d) Each investor shall be requested to make available a certain fixed percentage of network bandwidth, preferably 2 MBPs to the State Government free of cost for Government use.
- e) While digging the road network for providing rights of way access, a bank guarantee equivalent to the cost of restitution shall be insisted from the agency concerned, which shall be returned once the restitution is properly done.
- f) Local Self Government Department shall explore the modalities of providing legal backing for providing rights of way along roads vested with LSGs.

(6) The Government hereby authorise IT department to invite expressions of interest from potential investors for laying the OF backbone. While soliciting such offers, IT Department may specifically obtain from the potential investors, the benefits and further concessions/ services which such investors would be able to offer in the best interests of the Government.

(7) Government are also pleased to set up a Committee of Secretaries comprising Principal Secretary (PWD), Secretaries (LSG -Urban & Rural) and Secretary (Information Technology) as Convenor. This Committee shall formulate working guidelines for effective implementation of the policy, and further, act as a single window mechanism for according requisite clearances speedily and to monitor implementation of the policy. After examining expressions of interest from all possible investors, this Committee shall evaluate the proposals received and submit recommendations to the Government, within two weeks, on the offers and services most beneficial to the State so that rights of way is provided on a non-exclusive basis.

(By Order of the Governor)

ARUNA SUNDARARAJAN
SECRETARY TO GOVERNMENT

To

All Principal Secretaries / Secretaries /Special Secretaries to Government.
All Departments including Law and Finance.
All Heads of Departments.
The Accountant General (A&E)/(Audit), Kerala, Thiruvananthapuram.
General Administration (SC) Department.
The Director of Public Relations (With C.L).
Mission Group of I.T.
SF/OC.

Copy to: Principal Secretary to Chief Minister, Joint Secretary to Chief Secretary.
C.A to Secretary (I.T), C.A to Additional Secretary (I.T).

Forwarded/ By O

Section Officer