

**GOVERNMENT OF KERALA**

**Abstract**

Electronics & Information Technology Department - Granting Right of Way (RoW) permissions to M/s Vodafone Idea Telecom Infrastructure Limited for laying Optical Fibre Cables for 5.58 kms over the road networks in Malappuram and Kannur Districts - sanction accorded - orders issued.

**ELECTRONICS & INFORMATION TECHNOLOGY (B) DEPARTMENT**

**G.O.(Ms)No.3/2022/ITD Dated, Thiruvananthapuram, 19/01/2022**

- Read 1 G.O(Ms)No.39/2015/ITD dated 15.09.2015  
2 G.O(Ms)No.07/2016/ITD dated 08.02.2016  
3 G.O(Ms)No.25/2018/ITD dated 11.10.2018  
4 Minutes of the meeting of Single Window Clearance Committee for RoW permission held on 15.06.2021  
5 Letter No.VITIL/PFY20-21/ROW/TVM/IT/01 dated 28.01.2021 from M/s Vodafone Idea Telecom Infrastructure Limited  
6 Letter No. VITIL/PFY20-21/ROW/TVM/IT/02 dated 06.03.2021 from M/s Vodafone Idea Telecom Infrastructure Limited

**ORDER**

1) As per Government Order read as 1<sup>st</sup> paper above, Government have issued detailed guidelines for granting Right of Way permission to lay OFCs along the roads under the purview of National Highways/Public Works Department/Local Self Government Institutions/any other public authority. A Single Window Committee has been constituted as per Government Order read as 1<sup>st</sup> paper above with regard to granting of Right of Way (RoW) permissions to TSPs/IPs. As per letter read as 5<sup>th</sup> paper above, M/s Vodafone Idea Telecom Infrastructure Limited has requested, permission for laying Optical Fibre Cables for 8.33 kms, which included a total of 2.75 kms is regarding the connection to the Kerala Police Headquarters. As per letter read as 6<sup>th</sup> paper above, M/s Vodafone Idea Telecom Infrastructure Limited have

submitted a separate proposal for 2.75 kms as part of connecting Kerala Police Headquarters. Hence the route distance in the present proposal submitted by the company as per letter read as 5th paper above is reduced to 5.58 kms (8.33kms - 2.75 kms). The Single Window Committee, in their meeting held on 15.06.2021 considered the application of M/s Vodafone Idea Telecom Infrastructure Limited and recommended to grant RoW Permission to them for laying OFC for 5.58 kms subject to certain conditions. The common guidelines on RoW issued as per Government Order read as 1<sup>st</sup> paper have been modified *vide* Government Order read as 3<sup>rd</sup> paper above.

2) As per the RoW guidelines issued *vide* Government Order read as 1<sup>st</sup> and 3<sup>rd</sup> paper above, the TSPs/IPs shall have to remit an amount of ₹75,000/- per kilometre towards One Time Contribution and should also furnish a Performance Bank Guarantee @ ₹50/metre for getting RoW permission. As stipulated in the Government Orders, M/s Vodafone Idea Telecom Infrastructure Limited has furnished Performance Bank Guarantee No. 210126IBGP00497 dated 05.10.2021 for an amount of ₹ 2,79,000/- (Rupees Two Lakh Seventy Nine Thousand Only) of IDBI Bank Ltd. In case of non-compliance or violation of any provisions in the Government Order or agreement, the Performance Bank Guarantee will be invoked. M/s. Vodafone Idea Telecom Infrastructure Limited has also remitted an amount of ₹ 4,18,500/- (Rupees Four Lakh Eighteen Thousand and Five Hundred only) as One Time Contribution (excluding GST) by way of Demand Draft in favour of the Director, Kerala State IT Mission (KSITM). M/s. Vodafone Idea Telecom Infrastructure Limited shall have to remit directly the amount of GST on One Time Contribution to the authority concerned under Reverse Charge Mechanism.

3) In the above circumstances, Government are pleased to accord Right of Way permission to M/s. Vodafone Idea Telecom Infrastructure Limited for laying Optical Fibre Cables for 5.58 kms over the road networks in Malappuram and Kannur Districts, as appended as Annexure-I, subject to the terms and conditions stipulated in the Government Orders read as 1<sup>st</sup> and 3<sup>rd</sup> papers above and the guidelines attached thereto. M/s. Vodafone Idea Telecom Infrastructure Limited should strictly follow the conditions noted below and such other additional conditions that Government may impose from time to time:

a) M/s. Vodafone Idea Telecom Infrastructure Limited shall provide a minimum of 100 Mbps bandwidth at Network Operating Centres (NOCs) and

50 Mbps at the District Point of Presence (PoP) and 10 Mbps Block / Taluk HQs to Government free of cost, throughout the duration of the agreement. This free bandwidth shall be provided within one year from the date of the agreement and this shall be provided to District Head Quarters (DHQ), Block Head Quarters (BHQ) and Taluk Head Quarters (THQ) that fall within two kilometres of road distance from OFC route.

b) Free bandwidth provision shall be in the ratio of 1:1 (upload/download) and to the point to point links.

c) TSP shall ensure uptime of 99% in DHQ and NOC. This shall be 98.5% for BHQ and THQ during business hours.

d) M/s. Vodafone Idea Telecom Infrastructure Limited shall furnish the location map showing the alignment of trenching for various reaches with cross section of trenching to the road authorities concerned and shall be got approved and an agreement shall be executed with the road authorities concerned. The TSP shall furnish the detailed road map of the route (as well as GIS route map), where OFC is to be laid with GPS co-ordinates as per the appropriate jurisdiction of the road authority concerned. The road authority shall ensure that cables are laid only in line with the lay out. No deviation from the approved layout shall be allowed by the road authorities. However, minor deviations may be allowed in the layout/approved plan submitted by the TSPs on the ground of technical feasibility.

e) Agreement shall be executed by the TSP with the Government. An agreement shall also be executed with the National Highway authorities before trenching is done on National Highways.

f) Trenching should be done only through the extreme edge of the road considering the future expansion of the Highways and for a stretch of 200m at a time. Proper precautionary measures may be made during execution of trenching such as fencing, lighting, sign boards, etc. Digging works may be undertaken preferably in the night, avoiding busy hours and as far as possible, tarred portion should be avoided.

g) The trenching and restoration works should be done as per MoRTH specification and as per the instructions of the agency concerned designated by the owner. A completion certificate and Non Liability Certificate from all road authorities concerned and a certificate showing bandwidth fulfillment from the Director, Kerala State IT Mission should be produced before Government by the TSP along with the application for release of Bank Guarantee on completion of laying work and fulfilment of all relevant conditions in the matter.

h) M/s. Vodafone Idea Telecom Infrastructure Limited shall produce the NLC (Non Liability Certificate) in the format appended to this order from the road authority for returning the Bank Guarantee (Annexure-II). After completion of the work, the TSP shall furnish the road chainage details from the appropriate

- road authority.
- i) Bank Guarantees shall be renewed by the TSP before the date of expiry of the BG.
  - j) M/s. Vodafone Idea Telecom Infrastructure Limited shall be responsible for changing the cables whenever required at their own cost for the future development and 4 laning of Highways/future development of roads.
  - k) M/s. Vodafone Idea Telecom Infrastructure Limited shall do the restoration work on their own under the supervision of the Department/Organization/Local Body owning the road and the road shall be restored to its previous condition within the stipulated time frame and quality standards as decided by Government from time to time. M/s Vodafone Idea Telecom Infrastructure Limited shall furnish a separate Bank Guarantee equal to 1/3rd (one third) of the estimated cost of restoration, to the Department/Organisation/ Local Body owning the road till the end of Defect Liability Period (DLP). This Bank Guarantee will be over and above the Performance Bank Guarantee furnished to E&IT Department. M/s. Vodafone Idea Telecom Infrastructure Limited shall also take necessary steps to renew all the Bank Guarantees before the date of expiry.
  - l) M/s. Vodafone Idea Telecom Infrastructure Limited shall be solely responsible for all accidents which occur due to the negligence from their part while trenching the roads for laying OFCs and they shall pay adequate compensation to the victims of such accidents as per the orders of the competent authorities or Court. The Licensee shall ensure proper filling of the excavated trenches before the close of the work of that day.
  - m) All provisions relating to PWD roads will be applicable to roads under the control of Local Self Government Institutions and other roads also.
  - n) Road authorities shall give road trenching permission as per general norms and as well as the terms and conditions existing in their respective Departments.
  - o) Non-readiness of the site due to monsoon ban or such issues relating to non-commencement of work shall be intimated to the Director, KSITM. Completion of laying of OFC shall be promptly intimated to the Director, KSITM in writing with supporting documents. The Director, KSITM shall inform the same to the Government on time. If the work completion is delayed, TSP shall furnish status report every six months to the Director, KSITM specifying the distance completed with route and pending at that point of time, with reason for non-completion of work.
  - p) M/s. Vodafone Idea Telecom Infrastructure Limited shall submit OFC route mentioning road distance from OFC to DHQ, BHQ and THQ to the Director, KSITM.
  - q) Road authorities concerned shall permit M/s Vodafone Idea Telecom Infrastructure Limited to lay OFC from OFC route to BHQ, DHQ and THQ at

feasible locations.

- r) The validity of RoW permission granted shall be for 15 years from the date of this Government Order or till the period of currency of the license of M/s. Vodafone Idea Telecom Infrastructure Limited issued by the Government of India, whichever is earlier.
  - s) If it is found at any stage that the TSP has laid extra cable over and above the sanctioned distance, they are liable to pay proportionate One Time Contribution and Bank Guarantees.
  - t) M/s. Vodafone Idea Telecom Infrastructure Limited shall furnish OFC lay out diagram, with GIS co-ordinates to the Director, KSITM and to the appropriate road authority. The road authority shall ensure that lay out diagram is matching with the route details as mentioned in Annexure- I.
  - u) There should not be any loss to the Government in this regard and this should be taken into account.
  - v) M/s. Vodafone Idea Telecom Infrastructure Limited should apply for RoW permissions for extending Government connectivity, immediately after the completion of work of their Optical Fibre Cable routes.
  - w) M/s. Vodafone Idea Telecom Infrastructure Limited should furnish the action plan to the Director, KSITM for connecting PoP locations as part of the fulfilment of their previous Bandwidth commitments. The TSP should also furnish the GIS route map in the format specified by the Director, KSITM for identifying the PoP locations coming under the OFC routes. The proof of remittance of GST on One Time Contribution under reverse charge mechanism should be submitted by the TSP to the Director, KSITM within one month from the date of issue of this order.
  - x) M/s. Vodafone Idea Telecom Infrastructure Limited should fulfil all the pending bandwidth commitments in co-ordination with KSITM.
- 4) The Director, KSITMission is permitted to allocate the bandwidth on distributed manner, so that multiple terminations can be avoided at a single PoP location. The Director, KSITMission shall also monitor and ensure the compliance of bandwidth commitments of TSPs by having constant co-ordination with all TSPs concerned and to workout an equitable distribution for obtaining free bandwidth in the NOC, DHQ, BHQ and THQ.
  - 5) The Director, KSITMission shall report to Government on time, any lapse on the part of M/s Vodafone Idea Telecom Infrastructure Limited in compliance with the conditions mentioned in this order.
  - 6) The Right of Way permission shall come in to force only from the date of execution of the agreement by the TSP with Government.
  - 7) All the terms and conditions laid down in the agreement and such additional conditions that Government may impose from time to time shall be strictly adhered to by M/s Vodafone Idea Telecom Infrastructure Limited.

The Chief Engineer, (PWD)/(LSGD) shall report any violation in the provisions of the Government agreement conditions from the part of the Company, M/s Vodafone Idea Telecom Infrastructure Limited shall be liable to execute supplementary agreements (if any) as stipulated by Government from time to time.

8) This Government Order is a generic permission and before digging any stretch, the plan of digging, route plan and restoration plan may be got approved from the Executive Engineer of PWD or the appropriate authority concerned.

(By order of the Governor)  
N C Santhosh  
Under Secretary

To:

The Additional Chief Secretary, LSGD

The Secretary, PWD

The Chief Engineer, National Highways, PWD, Thiruvananthapuram

The Chief Engineer, Bridges & Roads, PWD, Thiruvananthapuram

The Chief Engineer (Projects), KSTP, Thiruvananthapuram

The Chief Engineer (LSGD), Thiruvananthapuram

The Managing Director, Roads and Bridges Development Corporation of Kerala Ltd, 2nd Floor, Preethi Building, M.V Road, Kochi-682 025

The Chief Executive Officer, Kerala Road Fund Board, T.C 27/287, Sports Complex, Chandrasekharan Nair Stadium, Palayam, Trivandrum- 695033

The District Collector, Malappuram / Kannur

The State Head/General Manager, M/s. Vodafone Idea Telecom Infrastructure Limited, V.J.Tower, Vyttila.P.O, Ernakulam- 682 019

The Principal Accountant General (A&E), Kerala, Thiruvananthapuram

The Principal Accountant General (G&SSA), Kerala, Thiruvananthapuram

The Director, Urban Affairs, Thiruvananthapuram

The Director of Panchayaths, Thiruvananthapuram

The Director, Kerala State IT Mission, Thiruvananthapuram

The Chairman and Managing Director, Kerala State Electricity Board Ltd, Thiruvananthapuram

The Managing Director, Kerala State IT Infrastructure Limited (KSITIL), Thiruvananthapuram

The Managing Director, Kerala Water Authority, Thiruvananthapuram


File No.IT-B1/61/2021-ITD

The Information Officer, Web & New Media, I & PR Department  
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Forwarded /By order  
Signed by Manesh Mohan  
Date: 19-01-2022 15:27:32  
Reason: Approved Officer

Copy to:  
PS to the Hon'ble Chief Minister  
PS to Chief Secretary  
CA to Principal Secretary (E&IT)

SL.No	Layout Pg.No.	Route details of laying OFC starting from											Name of Nco, DHO, BHQ & THO executing under the OFC.	
		From		TO	To (Latlong)		District	Road Authority (PWD/LSSD/ Others)	Authority with Distances (KM)	Jurisdiction of Range authority with District of laying OFC starting from	Name of Nco, DHO, BHQ & THO executing under the OFC.			
		Latitude	Longitude		Latitude	Longitude						Total Distance (KM)		
1	3	Puluppatta VIL SMH	11.1516	76.0723	Puluppatta VIL SMH	11.15	76.0726	Malappuram	Panchayat	0.23	The Secretary, Panchayat Pulupatta, Malappuram			
2	4	Irinjipaloor VIL SMH	11.0284	76.9976	Irinjipaloor VIL SMH	11.0333	76.9989	Malappuram	PWD	0.6	The Executive Engineer, PWD Malappuram			
3	5	Chappanangadi VIL SMH	10.9989	76.0605	Chappanangadi VIL Site	10.9951	76.0575	Malappuram	PWD	0.3	The Executive Engineer, PWD Malappuram			
4	6	Valapattanam VIL Site	11.9193	75.3513	Mooinrathi VIL Site	11.9294	75.3324	Kannur	Panchayat	0.05	The Secretary, Panchayat Valpattanam, Kannur			
5	7	Thayyil Jin VIL SMH	11.8565	75.3892	Kurava VIL Site	11.8537	75.399	Kannur	PWD	3.3	The Executive Engineer, PWD Kannur			
								<b>Total</b>			<b>1.1</b>	<b>5.38</b>		

  
M. N. S. Prasad  
Asst. Engineer  
Dept.  
Govt. Secretariat  
Thiruvananthapuram





ANNEXURE-II

Non Liability Certificate issued by ..... (Road Authority-  
PWD/LSGD/Others) in Division/Office at ..... (Place) with  
regard to trenching and OFC laying work by M/s  
..... (name)

This is to certify that there is no liability outstanding from M/s ..... to  
this office in respect of the RoW permission given to M/s ..... as per  
G.O (Ms) No. .... dated ..... The details of OFC laid is given  
below.

Sl. No.	Name of TSP	Distance and Route for which permission was given for RoW as per G.O.	Length of OFC laid	Length of OFC not laid	Reason for not laying OFC
1	2	3	4	5	6

Office Seal

Dated Signature  
Name  
Designation

Total Distance (KM)  
 To (Location)  
 From (Location)  
 M/s .....

(R)