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**GOVERNMENT OF MANIPUR
DEPARTMENT OF INFORMATION TECHNOLOGY**

NOTIFICATION

Imphal, the 20th January, 2023

Subject: Amendment of Manipur Right of Way (Row) Policy, 2019.

No: IT/2/2020-DITC-DIT: In exercise of the powers conferred by Para 20 of "Manipur Right of Way (RoW) Policy, 2019 for Mobile Towers, OFC and Telecom Infrastructure", the Government of Manipur hereby makes the following policy further to amend the "Manipur Right of Way (RoW) Policy, 2019 for Mobile Towers, OFC and Telecom Infrastructure" namely:

"Manipur Right of Way (RoW) (Amendment) Policy, 2022 for Mobile Towers, OFC and Telecom Infrastructure"

Introduction:

5G being the fifth generation of cellular networks with speeds up to 100 times faster than 4G could play a significant role in the services such as e-health, e-educations etc. 5G is creating never-before-seen opportunities for people and businesses due to faster connectivity speeds, ultra-low latency and greater bandwidth in advancing societies, transforming industries and dramatically enhancing day-to-day experiences.

With the advent of 5G, there will be a requirement to deploy Low Power Base Stations (LPBTS) with 5G radios often called "small cells". Considering the need for densification of the network, these small cells will be deployed on various types of street furniture such as poles, street lights, traffic lights, bus stop shelter, advertisement hoardings, billboards, etc. due to their low weight and small size.

In view of the above Department of information Technology, Government of Manipur is amending the "Manipur Right of Way (RoW) Policy, 2019 for Mobile Towers, OFC and Telecom Infrastructure", to align with "Indian Telegraph Right of Way (Amendment) Rules, 2021 & 2022" for roll out of 5G in the State.

The Policy will facilitate the followings:

- a) A standard approach for the proliferation of Dense Small Cell Infrastructure.
- b) Usage of street furniture for installation of small cells, Wi-Fi antenna, other micro telecom equipment and telegraph/telecom line.

1. Short title and commencement:

- a) This Policy may be called the "Manipur Right of Way (RoW) (Amendment) Policy, 2022 for Mobile Towers, OFC and Telecom Infrastructure"
- b) It shall come into force on the date of its publication in the Official Gazette.

2. **Definitions:** In this Policy, unless the context otherwise requires:
- (i) "mobile tower" means any above-ground contrivance for carrying, suspending or supporting a telegraph and does not include pole;
 - (ii) "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;
 - (iii) "small cell" means a low powered cellular radio access node that has a coverage of distance from ten meters to two kilometers.
 - (iv) "policy" means the "Manipur Right of Way (RoW) Policy, 2019 for Mobile Towers, OFC and Telecom Infrastructure"
3. In para 5 of the "Manipur Right of Way (RoW) Policy, 2019 for Mobile Towers, OFC and Telecom Infrastructure", (hereinafter referred to as the said Policy), (1) after sub Para-9, the following shall be inserted, namely:
- a) The area of the overground telegraph/telecom 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, engine alternator, etc. at the ground.
 - b) The area of the underground telegraph/telecom infrastructure proposed to be established shall be the length of duct multiplied by the diameter of the duct multiplied by the number of the ducts. "duct" means a pipe, permanently lubricated or of any other kind, used as underground cable conduit for telegraph/telecom line.
 - c) Every application for permission under this policy shall be made by the licensee on an electronic portal developed by the Central Government or State Government.
 - d) Every application for permission under this policy for establishment of overground including Aerial/Overhead OFCs or underground telecom infrastructure shall be accompanied with such fee to meet administrative expenses for examination of the application and the proposed work as the appropriate authority may, by general order, deem fit. Provided that the onetime fee to meet administrative expenses accompanying every application shall not exceed the amount as specified in Schedule I.
 - e) Overground Telegraph/Telecom Infrastructure shall also include Aerial / overhead OFCs.
 - f) Minimum height clearance of Aerial OFC laid on electrical poles shall be as per technical suitability / design.
 - g) Application and Issuance of all NOCs, wherever applicable, from agencies such as PWD Manipur, Forest, NHIDCL etc. shall be done through the State RoW Portal as soon as the feasibility of the portal is developed.

- (2) Sub-para (1) (xiv) and sub-para (2) (viii), shall be omitted.
- (3) Under sub-para (1) (vii), the sentence "For Forest/Protected Areas, the copy of clearance from State Environment and Forest Department, if applicable" shall be substituted by "If the project/proposal is within Forest/Wildlife Protected Areas, copy of forest/wildlife clearance from the MoEF & CC, Government of India".
4. In para 8, in sub para (2)(b), the words "within sixty (60) official working days" shall be substituted by the words "within sixty (60) days from the date of application".
5. In para-10 of the said policy, after sub-para 2, the following shall be inserted, namely:
- "Provided that where horizontal directional digging technology is used for establishing underground telegraph/telecom lines, restoration charges shall be levied for pits only:
- Further, Provided that in cases where the overground telegraph/telecom line 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 of the overground telegraph/telecom line established:
- Provided also that the compensation payable for the immovable property for the establishment of poles for installation of small cells and telegraph/telecom line shall not exceed the amount as specified in Part III of Schedule I appended:
- The appropriate authority shall be entitled to receive such compensation from the licensee, not exceeding the amount specified in Part-III of the Schedule-I, for the use of the property under which the underground telegraph/telecom infrastructure is proposed to be established, as may be determined by the appropriate authority:
- Compensation payable for immovable property for establishment of poles for installation of small cells and telegraph/telecom line shall not exceed the amount specified in Part-III of the Schedule-I:
- Application fee shall not be deducted (fully or partly) by agencies processing the application in case of rejection of application on account of deficiency in the documents submitted by the applicants and the application fee paid shall be adjusted on resubmission of application after rectification for the same site. "
6. After Para 20 of the said policy, the following policies with respect to 5G Roll Out in the State shall be inserted, namely:

21. Usage of street furniture for installation of Small Cells and telegraph/telecom line –

- (1) Street Furniture includes post/pole used for electricity, street light, traffic sign, bus stop, taxi stand, public lavatory, memorial, public sculpture, utility pole or

any other structure or contrivance of such nature established over the property of an appropriate authority.

- (2) A licensee shall for the purpose of installation of small cell and telegraph/telecom line submit an application, along with details of street furniture and a copy of certification by a structural engineer authorized by appropriate authority, attesting to the structural safety of the street furniture where installation of small cells and telegraph/telecom line is proposed to be deployed, to the appropriate authority for permission to use street furniture for installation of small cells and telegraph/telecom line.
- (3) The application under para (21), (2) 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 Part-I of the Schedule-I.
- (4) The appropriate authority shall, within a period not exceeding sixty (60) 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.

- (5) The appropriate authority shall be entitled to receive such compensation from the licensee, not exceeding the amount specified in Part-III of the Schedule-I, for use of street furniture for installation of small cells and telegraph/telecom line, as may be determined by the appropriate authority.
- (6) The appropriate authority may permit installation of small cells on their buildings and structures.

Appropriate authority means the State Government or the Central Government or the authority, body, company or institution, incorporated or established by the State or Central Government in respect of property under, over, along, across, in or upon which underground or overground telegraph/telecom infrastructure is to be established, maintained, vested in, or under the control or management of such Government authority, body, company or institution.

22. Establishment of telegraph/telecom infrastructure over private property:

Where the licensee proposed the establishment of overground telegraph/telecom infrastructure over private property, the licensee shall not require any permission from appropriate authority:

Provided that in case of establishment of mobile tower or pole over a private building or structure, the licensee shall submit an intimation, in writing, to the appropriate authority, prior to commencement of such establishment:

Provided further that along with the intimation, he shall also submit the details of the building or structure, where the establishment of mobile tower or pole is proposed, and a copy of certification by a structural engineer, authorized by the appropriate authority, attesting to the structural safety of the building or structure, where the mobile tower or pole is proposed to be established.

23. Uniform policy for Street Furniture.

- (1) As per request by the applicant, One-time bulk upload for seeking permission to install small cells in a designated area shall be allowed. The same shall be incorporated in the State RoW portal.
- (2) The Telecom Service Providers (TSP)/ Infrastructure Providers (IP) should submit all the necessary documents like Site map, Structural stability Report, etc. during submission of applications.
- (3) One time approval of the bulk RoW applications w.r.t to 5G roll out by appropriate authority shall be allowed.
- (4) Permission shall be deemed to be granted if the appropriate authority fail to grant permission or reject the application within Sixty (60) days w.r.t to 5G roll out.

24. Power supply to the Small cells.

- (1) Bulk permit to be issued for the installation of all the components for the roll out of 5G.
- (2) Single common electricity bill for a particular area to be implemented for 5G rollout subject to total connected load and the number of power supply hours.
- (3) Priority power connection for telecom sites for 5G roll out within 15 days from the date of application.

7. Schedule-I appended with the said policy shall be substituted by the Schedule-I at **Annexure I**.
8. Form – 4 and Form - 5 appended with the said policy shall be substituted by the Form – 4 and Form – 5 at **Annexure II**.

DR. RAJESH KUMAR,
Chief Secretary,
Government of Manipur.

THE SCHEDULE-I

Rule (1)	Item (2)	Amount (3)
Part-I Fee		
1	For establishment of underground telegraph/telecom infrastructure	One thousand rupees per kilometer.
2	For establishment of overground telegraph/telecom infrastructure	(i) Ten thousand rupees for establishment of mobile towers. (ii) One thousand rupees per kilometer for establishment of overground telegraph/telecom line. (iii) Nil for establishment of poles, for installation of small cells and telegraph/telecom line, on the immovable property vested in, or under control or management of appropriate Central authority. (iv) One thousand rupees per pole for establishment of poles, for installation of small cells and telegraph/telecom line, on the immovable property vested in, or under control or management of appropriate authority, other than appropriate central authority.
3	For installation of small cells and telegraph/telecom line using the street furniture	Nil
Part-II Charges for restoration		
1	Establishment of underground telegraph/telecom 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 / State Public Works Department for that area, if no rate has been prescribed by Central Public Works Department / State Public Works Department for that area.
2	Bank guarantee as security for performance in case of establishment of underground telegraph/telecom infrastructure where undertaking is given by the licensee to discharge the responsibility to restore the damages	20% of the sum required to restore immovable property as per the rate prescribed by Central Public Works Department / State Public Works Department for that area, if no rate has been prescribed by Central Public

		Works Department /State Public Works Department for that area.
3	Establishment of overground telegraph/telecom infrastructure	Sum required to restore immovable property as per the rate prescribed by Central Public Works Department / State Public Works Department for that area, if no rate has been prescribed by Central Public Works Department for that area. Further, licensee shall restore the damage incurred in case of establishment of poles for installation of Small Cells and telegraph/telecom line.
Part-III Compensation		
1	Establishment of underground telegraph/telecom infrastructure	Nil.
2	Establishment of poles for installation of small cells and telegraph/telecom line	Nil
3	Usage of Street furniture for installation of small cells and telegraph/telecom line	<p>i. For installation of small cells: Three hundred rupees per annum for urban area and one hundred and fifty rupees per annum for rural areas per street furniture.</p> <p>ii. For installation of telegraph/telecom line: One hundred rupees per annum per street furniture.</p>
Part – IV Other Rates/percentage		
1	Annual Charges for lands and buildings belonging to State Government or Statutory or non-Statutory bodies/institutions/agencies of the State Government including local bodies	<p>i. Rs. 10,000/- in Municipal Corporation area.</p> <p>ii. Rs. 5,000/- in MB/Town Committee area.</p> <p>iii. Rs. 5,000/- in other areas</p>
2	Annual charges for Wi-Fi antenna or Micro Cell unit with utility box attached to Micro Cell are installed on any land or building including bus shelters, street light poles, public places, other Government premises.	Rs. 1,000/-
3	Annual rent for putting up manhole/chamber on the OFC Route	@1.0 % of the DLC of the area taking actual number of chambers and their actual size into consideration.



FORM-4

**GOVERNMENT OF MANIPUR
OFFICE OF THE DEPUTY COMMISSIONER, <<NameOfDistrict>>, MANIPUR
(For <<.....>> (Appropriate authority))
CASE NO << Application No.>> & Year <<yyyy>>**

The Applicant/Licensee: <<name_of_the_Licensee>>

Address: <<address_of_the_licensee>>

Subject: - Grant of permission for erection, installation or establishment of aboveground telegraph/telecom infrastructure under Rule 9 of Telegraph Right of Way Rule 2016 and order made thereunder.

(1)The above applicant/licensee has applied to accord permission for erection, installation or establishment of aboveground telegraph/telecom infrastructure under Rule 9 of Telegraph Right of Way Rule 2016 read with Para 5 of these guidelines Dated 4th March, 2021 issued by the Government of Manipur. The permission has been 'applied on the land or building mentioned below.

Details of location (Name of village, city, ward no. Street name, road name etc.)	Details of Plot No./ Building/land /structure	Area In Sq. feet

(2)That, I have examined the application and documents/statements submitted by the applicant/licensee. He/She has deposited the necessary fee and charges I have examined the reports received from Local Body and field agencies. I am of the opinion that the desired permission is consonance with provisions of above mentioned Rules and guidelines.

RoW Application No.: <<onlineApplicationno>>

***This is a computer-generated certificate. No physical signature is required.

Therefore, I hereby grant the permission for erection, installation or establishment of following telegraph infrastructure on the land or building herein above mentioned.

Sl.	Item	Details (to be mentioned by, Nodal Officer)
1	The nature and location including exact latitude and longitude of the post/tower or other aboveground contrivances which are to be established	
2	The extent of land required for establishment of the aboveground telegraph infrastructure	
3	The details of building or structure where the aboveground telegraph infrastructure is to be established.	
4	The mode of and time duration for execution of work	
5	In case of micro cells/Wi-Fi points on street lights/poles/bus shelters/govt. buildings, give details.	

(3) The permission is granted on following terms and conditions:

- i. The Radiation norms fixed by DoT have to be strictly followed by the licensee. Any citizen can approach the TERM Cell with regard to grievance on any issue relating to radiation.
- ii. Sign boards and Warning Signs ("Danger", "Warning", "Caution", etc.) as per guidelines of DoT shall be provided at towers and antenna sites which are clearly visible and identifiable.
- iii. The licensee shall be permitted to erect/install telegraph infrastructure on open land including private/Govt. lands, lands and buildings of Government or Government owned/controlled Statutory or Non-Statutory institutions/bodies or at other public/private locations including roads, parks, playgrounds, schools, colleges, land earmarked for public utilities
- iv. In the walled city area or in the area of Heritage importance the Pole/Mast shall be designed keeping in view the Heritage character of the area.
- v. Installation of infrastructure shall not be permitted on right of way
- vi. The licensee shall be granted permission to install micro cells/Wi-Fi access points and other required services on street light poles/bus shelters/government buildings.
- vii. The licensee shall fix the equipments which cause minimum noise and environmental pollution for power back-up in the earmarked boundary adjacent to mobile tower/post.
- viii. The structural stability of the towers/posts and building in which it is erected, shall be ensured by the licensee and the towers/posts and their foundations shall be designed accordingly. He shall be solely responsible for any mishap, if it takes during or after erection of towers

(4) This permission shall be valid from this date up to the period of license granted to the licensee by DoT (i.e. dated _____) or till _____ whichever is earlier.

The permission is _____ on this date _____ under approval of the undersigned.

Digital Signature

Nodal Officer
< _____ > District

RoW Application No.: <<onlineApplicationno>>

***This is a computer-generated certificate. No physical signature is required.



FORM-5

GOVERNMENT OF MANIPUR
OFFICE OF THE DEPUTY COMMISSIONER, <<NameOfDistrict>>, MANIPUR
(For <<.....>> (Appropriate authority))
CASE NO << Application No.>> & Year <<yyyy>>

The Applicant/Licensee: <<name_of_the_Licensee>>

Address: <<address_of_the_licensee>>

Subject: - Grant of permission for laying of underground telegraph/telecom infrastructure under Rule 9 of Telegraph Right of Way Rule 2016 and order made there-under.

- (1) The above applicant/licensee has applied to accord permission for erection, installation or establishment of underground telegraph/telecom infrastructure under Rule 9 of Telegraph Right of Way Rule 2016 read with Para 5 of these guidelines Dated 4th March, 2021 issued by the Government of Manipur. The permission has been 'applied on the land or building mentioned below.

Details of location (Name of village, city, ward no. Street name, road name etc.)	Details of Plot No./ Building/land /structure	Area In Sq. feet

(2) That, I have examined the application and documents/statements submitted by the applicant/licensee. He/She has deposited the necessary fee and charges I have examined the reports received from Local Body and field agencies. I am of the opinion that the desired permission is consonance with provisions of above mentioned Rules and guidelines.

RoW Application No.: <<onlineApplicationno>>

***This is a computer-generated certificate. No physical signature is required.

(3) Therefore, I hereby grant the permission for erection, installation or establishment of following telegraph infrastructure on the land or building herein above mentioned.

Sl.	Item	Details (to be mentioned by, Nodal Officer)
1	The nature of work	
2	The location details of the proposed work including buildings/structures, if any to be used	
3	The route planned for the proposed work	
4	Methodology for execution of proposed work	
5	The time of the day when work is to be done	
6	Number of ducts under the roads for which permission is granted	
7	The mode of and the time duration for execution of the work	

(4) The permission is granted on following terms and conditions:

- i. The licensee shall obtain necessary permission for laying optical fiber cable (OFC) network/underground telegraph/telecom infrastructure and taking fibre to home under roads and overhead from the Nodal officer of concerned appropriate authority.
- ii. The work shall be started from the outer areas of the city and then to the core area.
- iii. Damages of roads and filling up the pits caused during the laying of underground telegraph/telecom infrastructure and taking fibre to home will be repaired by the concerned local body and the entire expenses, for restoration of damaged road portion shall be charged by the local body from the licensee. Charges for such expenses shall be fixed by the State Government from time to time, on the basis applicable schedule of rates for works for similar nature. The BSR and guidelines issued by the PWD shall be followed for calculating the restoration charges. Such charges shall be deposited in advance in the form of 100 % cash within a period of 30 days from the date of grant of the permission and prior to the commencement of work of laying the underground telegraph/telecom infrastructure. An amount to restoration charges as security shall be taken (in lieu of expenses for restoration) prior to the commencement of such work in the form of a Bank Guarantee valid for one year if the licensee has undertaken to discharge the responsibility of restoration of damaged road portion.
- iv. Provided that no other charges, (except above – mentioned restoration charges and relevant administrative charges prescribed under Para 9 & 10), like User Charges, etc. shall be levied on the licensee.
- v. Laying OFC though Micro-Trenching Methods shall be allowed during monsoons, provided that the applicant takes all security measures and make arrangements for immediate restoration of the damage caused.
- vi. Supervision of the work:-
 - a) The Nodal Officer, or any officer authorized by the appropriate authority, may supervise the execution of work to ascertain if the conditions imposed under the rules and this order are observed by the licensee;
 - b) The Nodal Officer may, on the basis of such supervision, impose such other reasonable conditions as it may think fit;
 - c) If the Nodal Officer comes to the conclusion that the licensee has willfully violated any of the conditions, it may forfeit, in full or in part, the Bank Guarantee submitted by the licensee and withdraw the permission, for reasons to be recorded in writing:

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

RoW Application No.: <<onlineApplicationno>>

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- vii. Only pits of appropriate size 1.5 m x 1.5 m x 1.5 m depth or as per requirement at site shall be excavated in the roads where optical fiber cables are to be laid, at the distance of not less than 100 metres. The pits shall be refilled only with granular material and shall be compacted as per the specifications. The pits /trenches shall be reinstated within 48 hours, repeat shall be reinstated within 48 hours, after the work at the location is over, failing which, penalty as applicable as per the guidelines for trenching activities shall be applicable besides the cancellation of permission, etc.
- viii. Number of ducts under the road for which permission will be granted be as per requirement of the licensee.
- ix. (The licensee shall ensure provision of positional intelligence, through appropriate technology, of all under telegraph/telecom infrastructure to enable the local body to obtain real time information on its location.
- x. The licensee will carry out Ground Penetrating Radar (GPR) survey wherever necessary along the route where the ducts will be laid for detection of existing utilities. The data of utilities collected by the licensee through GPR survey shall be unconditionally shared with local body, free of cost.
- xi.No damage shall be caused to the underground utilities while laying the ducts by using Horizontal Directional Drilling (HDD) methodology. In case any utility is damaged, the damaged so caused to the utilities, shall be rectified by the licensee at his own cost.
- xii. Ducts shall be laid appropriately 2 meters below the road crust. However, in case of Hard Rock Strata where HDD methodology is not possible, the depth of approx 400 mm, shall be maintained with the duct installed inside G.I Pipe covered with PCC 71.
- xiii. The cost of shifting conduits/OFC, wherever required shall be borne by the licensee and instructions of local body in this respect shall be complied within the timeframe fixed by the concerned local body.
- xiv. Local body shall not be responsible for any damage to OFC and resultant losses, if any, due to any act of employee of Government or local body, while performing official duties. However, prior written intimation will be given by the local body to the licensee.
- xv. The licensee shall make proper arrangement for access control of the chambers to avoid misuse/ illegal use of ducts and the chambers.
- xvi. For laying overhead OFC from fiber to home network, it shall be permitted to erect poles on specified locations on roads over the ground area not more than 1m x 1m. the spacing between 2 poles should not be less than 50 meters in line of the sight.
- xvii. The licensee shall ensure that, -
 - a) Prior to the commencement of work of laying the optical fiber and at all times during the execution of the work, the measures to mitigate public inconvenience and provide for public safety are implemented;
 - b) Structural safety of overground infrastructure are implemented; and
 - c) The work of laying OFC telegraph/telecom infrastructure is carried out in accordance with the conditions specified under the rules and this Order.

(5) This permission shall be valid from this date up-to the period of license granted to the licensee by DoT (i.e. dated _____) or till _____ whichever is earlier.

The permission is _____ on this date _____ under approval of the undersigned.

Digital Signature

Nodal Officer
← _____ > **District**

RoW Application No.: <<onlineApplicationno>>

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