



No.115-38(1)/2015-CNP(DP)  
Dated : 24.10. 2017

Dear Ashwani,

Kindly refer to my DO of even no. dated 07.06.2017 (copy enclosed) addressed to your predecessor, regarding revising the Right-of-Way (RoW) Policy of Railways for laying underground / overhead cables including OFC Cable in the land owned by Railway by Telecom Service Providers (TSPs) to be in consonance with the Indian Telegraph Right of Way Rules, 2016 (Telegraph Rules) issued under the Indian Telegraph Act, 1885.

2. The Railway Board vide letter No. 2001/LML /24/20 dated 16.08.2005 had issued the said policy. As per this policy, the charges prescribed for granting RoW permission are @ 6% of market value of land per annum subject to minimum of Rs.10,000/- per annum per crossing. These charges are payable in advance in block of 10 years. While calculating the advance charges, equivalent to 10 years' annual charges with annual increase of 7% in land value is assumed. Thus, the charges towards ROW being levied by Railways are on annual basis.

3. Whereas, the Central Govt. has frames Rules to regulate the underground infrastructure (optical Fibres), and per these Rules, Licensed (TSPs) are required to pay only one time charges for laying of underground cable. Thus, there is a need to revise the ROW Policy of Railways and issue revised instructions to be in line with the Rules made under the Telegraph Act.

4. Bharat Sanchar Nigam Limited (BSNL), a wholly owned GOI understanding, has informed that notices are being received by them from Railway Authorities for make payment towards cables already laid under the railway track (before ten years), failing which Railway Officials are threatening to disconnect the cables of BSNL . There have reportedly also been some instances of intentional damage of BSNL's network by Railway Officials.

5. In the circumstances, I request you to issue revised instructions to various Railway Authorities on the subject of grant of RoW to TSPs and payment of RoW charges to bein line with the Telegraph Rules. Your personal intervention is also solicited for issuing appropriate instruction to concerned Railway Officials so

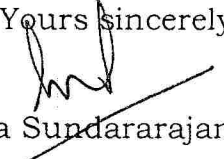
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that cables already laid under railway track / through railway land are not damaged on account of any issue of non-payment of any charges demanded except in accordance with law.

With regards,

Yours sincerely,

  
(Aruna Sundararajan)

Shri Ashwani Lohani,  
Chairman,  
Railway Board,  
Rail Bhawan,  
New Delhi-110001