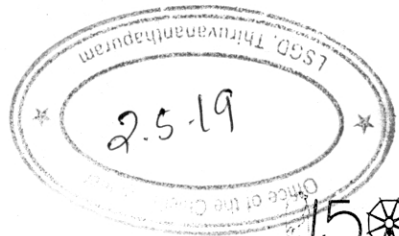


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GOVERNMENT OF KERALA

Abstract

Electronics & Information Technology Department-Granting Right of Way permissions to M/s Vodafone Idea Limited to lay Optical Fibre Cables for 17.9 kms along National Highways and other roads under Public authorities - Sanction accorded-Orders issued.

ELECTRONICS AND IT (B) DEPARTMENT

G.O.(Ms)No.7/2019/ITD Dated,Thiruvananthapuram, 22/04/2019

- 1 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 17.09.2018.
- 5 Letter No. ICL/PFY18-19/ROW/TVM/IT/02 dated 07.08.2018 from M/s Idea Cellular Limited
- 6 Letter dated 03.09.2018 from M/s Vodafone Idea Limited

ORDER

M/s Idea Cellular Limited has requested as per letter read as 5th paper above, permission for laying Optical Fibre Cables for 17.9 kms of the roads in the State of Kerala, as part of expanding their existing Optical Fibre Cable (OFC) network. Vide letter read as 6th paper above, it has been informed that a new company named as M/s Vodafone Idea Limited has been formed following the merger of Aaditya Birla Group and Vodafone Group Partnerships (ie, merger between Vodafone India Ltd, Vodafone Mobile Services Ltd and M/s, Idea Cellular Ltd).

2) As per Government Order read as 1st paper above, Government have issued detailed guidelines for granting Right of Way permission to lay OFC along the roads under the purview of National Highway/Public Works Department/ Local Self Government institutions/ any other public

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authority. A Single Window Committee has been constituted as per Government Order read as 1st paper above for granting Right of Way to TSPs/IPs. The Single Window Committee, in their meeting held on 17.09.2018 considered the application of M/s Idea Cellular Limited (present M/s Vodafone Idea Limited) and recommended to grant RoW Permission to them for laying OFC for 17.9 kms subject to certain conditions. The common guidelines on RoW issued as per Government Order read as 1st paper have been modified vide Government Order read as 3rd paper above.

3) As per the RoW guidelines issued vide Government Order read as 1st and 3rd paper above, the TSPs/IPs shall have to remit an amount of Rs. 75,000/- per kilometre towards One Time Contribution, and should also furnish a Bank Guarantee @ Rs. 50/metre for getting RoW permission. As stipulated in the said Government Order, M/s Vodafone Idea Limited has furnished Bank Guarantee (No.00600100000437 dated 23.01.2019) favouring the Secretary (Electronics & Information Technology), Government of Kerala, for an amount of Rs. 8,95,000/- (Rupees: Eight Lakh & Ninety Five Thousand only). M/s Vodafone Idea Limited has also remitted an amount of Rs.13,42,500/- (Rupees: Thirteen Lakh Forty Two Thousand & Five Hundred only) as One Time Contribution (excluding GST) vide Demand Draft No.464259 dated 17.01.2019 of Deutsche Bank in favour of the Director, Kerala State IT Mission. M/s Vodafone Idea Limited shall have to remit directly the amount of GST on One Time Contribution to the concerned authority under Reverse Charge Mechanism.

4) In the above circumstances, Government are pleased to accord Right of Way permission to M/s Vodafone Idea Limited for laying Optical Fibre Cable for 17.9 kms (appended as Annexure- I), subject to the terms and conditions stipulated in the Government Orders read as 1st and 3rd papers above, and the guidelines attached thereto. M/s Vodafone Idea Limited

should strictly follow the conditions mentioned below and such other additional conditions that Government may impose from time to time:

a) M/s Vodafone Idea 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 all 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 km 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 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 concerned road authorities. 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 concerned road authority. The road authority shall ensure that cables are laid only in line with the layout. 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. No trenching will be allowed during rainy season. 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 concerned agency designated by the owner. A completion certificate and Non Liability Certificate from all road authorities concerned and a certificate showing Bandwidth fulfilment from Director, Kerala State IT Mission should be produced before Government by TSP along with 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 Limited shall produce the NLC (Non Liability Certificate) in the format appended to this order from the road authority for returning the BG (Annexure- II). After completion of the work, the TSP shall furnish the road chainage details from the appropriate road authority.

i) Bank Guarantee shall be renewed, if necessary, by the TSP at the time of expiry of BG submitted.

j) M/s Vodafone Idea 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 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 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 existing Bank Guarantee. M/s Vodafone Idea Limited shall also take necessary steps to renew the Bank Guarantees before the date of expiry.

l) M/s Vodafone Idea Limited shall be solely responsible for all accidents which occur due to the negligence from their part while trenching of roads for laying OFC 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 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 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 of the completed routes and pending routes at that point of time, with reason for non-completion of

work.

p) M/s Vodafone Idea 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 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 Limited issued by the Government of India, whichever comes first.

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 Guarantee.

t) M/s Vodafone Idea Limited shall furnish OFC lay out diagram, with GIS co-ordinates, to Director, KSITM and to the appropriate road authority concerned. The road authority shall ensure that lay out diagram is matching with the route details as mentioned in the 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 Limited should apply for RoW permissions for extending the Government Connectivity, immediately after the completion of work of their Optical Fibre Cable routes.

w) M/s Vodafone Idea Limited shall furnish the action plan for connecting the PoP locations for fulfilling the previous bandwidth commitments within a month from the date of issue of this order. The TSP should also furnish 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(OTC) under reverse charge mechanism should be submitted by the TSP to the Director KSITM within one month of date of issue of this order.

x) M/s Vodafone Idea Limited should fulfil all the pending bandwidth obligations within 3 months from the date of order granting RoW permissions.

5) The Director, KSITM is permitted to allocate the bandwidth on distributed manner, so that multiple terminations can be avoided at a single PoP location. The Director, KSITM shall also monitor and ensure the compliance of Bandwidth commitments of TSPs by having constant coordination with all TSPs concerned and to workout an equitable distribution for obtaining free bandwidth in the NOC, DHQ, BHQ and THQ.

6) The Director, KSITM shall report to Government on time any lapse on the part of M/s Vodafone Idea Limited in compliance of the conditions mentioned above. Violation / non compliance of conditions mentioned will lead to suspension / withdrawal of Right of way permissions.

7) The Right of Way permission shall come in to force only from the date of execution of the agreement.

8) All the terms and conditions laid down in the agreement and such additional conditions that Govt may impose from time to time shall be strictly adhered to by M/s Vodafone Idea Limited. The Chief Engineer, (PWD)/(LSGD) shall report any violation in the provisions of the agreement conditions from the part of the company. M/s Vodafone Idea Limited shall be liable to execute supplementary agreements (if any) as stipulated by Government from time to time.

9) 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)
M. SIVASANKAR
SECRETARY

To:

The Principal Secretary, PWD

The Principal Secretary, LSGD

The Chief Engineer, National Highways, PWD, Thiruvananthapuram.

The Chief Engineer, Bridges & Roads, PWD, Thiruvananthapuram

The Chief Engineer (Projects), KSTP, Thiruvananthapuram.

The Managing Director, RBDCK, Ernakulam

✓ The Chief Engineer (LSGD), Thiruvananthapuram.

The Chief Executive Officer, KRFB, Thiruvananthapuram.

All District Collectors

The State Head/General Manager, M/s Vodafone Idea Limited (M/s.Idea Cellular Ltd) , V.J.Tower, Vyttila, Ernakulam- 682 019

The Accountant General (A & E) / (G & SSA), Kerala, Thiruvananthapuram.

The Director, Urban Affairs, Thiruvananthapuram

The Director of Panchayaths, Thiruvananthapuram.

The Director, Kerala State IT Mission, Thiruvananthapuram.

The Secretary, Kerala State Electricity Board, Thiruvananthapuram.

The Chief General Manager, BSNL, Kerala, Thiruvananthapuram:

The Managing Director, Kerala Water Authority, Thiruvananthapuram.


The Information Officer, Web & New Media, I & PR Department


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Section Officer

Sl.No	Layout Pag No.	Name of TSP	Route details of laying OFC applied For							Road Authority (PWD/LSGD/ Others)	Authority wise Distance (KM)	Jurisdiction of Road authority with Distance of laying OFC applied for	Name of No., DHQ, BHQ & THQ coming under the OFC route	
			From	From(Lat/long)		TO	To(Lat/long)		Total Distance (KM)					District
				Latitude	Longitude		Latitude	Longitude						
1	1	Idea	CUSAT Signal	10.0476	76.3186	CUSAT Security Entrance	10.0458	76.3231	0.55	Ernakulam	CUSAT-PWD	0.55	The Engineer, CUSAT	Nil
2	2	Idea	Kuzhikkattumoola	10.0155	76.3542	Kusumagiri	10.0517	76.3568	0.3	Ernakulam	PWD	0.3	The Executive Engineer, PWD Roads Division Ernakulam	Nil
3	3	Idea	Mulavukad	10.0029	76.2626	Bolgatty Jn	9.9912	76.2652	1.1	Ernakulam	Panchayat	1.1	The Secretary, Mulavukad Panchayat	Nil
4	4	Idea	INTUC Jn	9.9288	76.3174	Nettur	9.9311	76.3180	0.3	Ernakulam	NHAI	0.3	The Project Director, NHAI Division, Cochin	Nil
5	5	Idea	Thevara	9.9510	76.2932	Ravipuram	9.9585	76.2892	1.15	Ernakulam	PWD	1.15	The Executive Engineer, PWD Roads Division Ernakulam	Nil
6	6	Idea	Edachira	10.0171	76.3691	Edachira Jn	10.0169	76.3691	0.05	Ernakulam	Municipality	0.05	The Secretary, Thrikkakara Municipality	Nil
7	7	Idea	Thuthiyoor	9.9975	76.3398	Near to CSEZ Back side	10.0043	76.3400	1	Ernakulam	Municipality	0.65	The Secretary, Thrikkakara Municipality	Nil
											PWD	0.35	The Executive Engineer, PWD Roads Division Ernakulam	Nil
8	8	Idea	Arukola Temple	9.9700	76.3349	Mathoor ROB	9.9733	76.3362	0.55	Ernakulam	Municipality	0.4	The Secretary, Thrippunithura Municipality	Nil
											PWD	0.15	The Executive Engineer, PWD Roads Division Ernakulam	Nil
9	9	Idea	Dhanalaxmi Bank	9.9763	76.2852	SRV School	9.9706	76.2870	0.9	Ernakulam	Corporation	0.9	The Secretary, Corporation of Cochin	Nil
10	10	Idea	Cherootty Junction	11.2563	75.7761	Calicut Beach Road	11.2548	75.7762	0.2	Kozhikode	Corporation	0.2	The Secretary, Kozhikode Corporation	Nil
11	11	Idea	Paroppady Junction	11.2894	75.8120	CH Colony	11.2849	75.8151	0.8	Kozhikode	PWD	0.2	The Executive Engineer, PWD Roads Division Kozhikode	Nil
											Corporation	0.6	The Secretary, Kozhikode Corporation	Nil
12	12	Idea	Pavangad	11.3120	75.7574	Pavangad site	11.3110	75.7581	0.2	Kozhikode	NH	0.2	The Executive Engineer, NH Roads Division Kozhikode	Nil
13	13	Idea	Meenchantha RJIL site	11.2180	75.8022	Tiruvannur site	11.2257	75.8011	0.8	Kozhikode	PWD	0.8	The Executive Engineer, PWD Roads Division Kozhikode	Nil
14	14	Idea	Cherukulam town	11.3376	75.7713	Cherukulam site	11.3343	75.7712	0.45	Kozhikode	Panchayat	0.35	The Secretary, Kakkodi Grama Panchayat.	Nil
											PWD	0.1	The Executive Engineer, PWD Roads Division Kozhikode	Nil
15	15	Idea	Kuttikatoor site	11.2683	75.8753	Kuttikatoor Town	11.2692	75.8778	0.3	Kozhikode	PWD	0.3	The Executive Engineer, PWD Roads Division Kozhikode	Nil
16	16-17	Idea	Pathanamthitta Jn Site	9.2603	76.7771	Omallur Temple	9.2495	76.7577	3.2	Pathanamthitta	PWD	2.9	The Executive Engineer, PWD Roads Division, Pathanamthitta	Nil
											Municipality	0.3	The Secretary, Pathanamthitta Municipality	Nil
17	18	Idea	Pathanamthitta Jn Site	9.2603	76.7771	Stadium Signal	9.2617	76.7807	0.85	Pathanamthitta	PWD	0.5	The Executive Engineer, PWD Roads Division Pathanamthitta	Nil
											Municipality	0.35	The Secretary, Pathanamthitta Municipality	Nil
18	19	Idea	Cheravally Site	9.1720	76.5078	Mukkavala	9.15578	76.508922	1.5	Alappuzha	PWD	0.5	The Executive Engineer, PWD Roads Division Alappuzha	Nil
											Municipality	1	The Secretary, Kayamkulam Municipality	Nil
19	20	Idea	Cheravally Site	9.1720	76.5078	Kayamkulam	9.17472	76.501187	1.2	Alappuzha	PWD	0.2	The Executive Engineer, PWD Roads Division Alappuzha	Nil
											Municipality	1	The Secretary, Kayamkulam Municipality	Nil
20	21	Idea	Cheravally Site	9.1720	76.5078	Kayamkulam Highway	9.15779	76.508922	2.5	Alappuzha	NH	1.5	The Executive Engineer, NH PWD Roads Division Alappuzha	Nil
											Municipality	1	The Secretary, Kayamkulam Municipality	Nil
Total									17.9			17.9		


MANESH MOHAN
 Section Officer
 Govt. Secretariat
 Thiruvananthapuram Dept.


ALEX JOSEPH VALLUVASSERY
 General Manager-Network Services
 Idea Cellular Ltd., Kerala Circle

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.

Table with 6 columns: 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. The table is currently empty.

Office Seal

Dated Signature Name Designation

MANESH MOHAN Section Officer Dept. Govt. Secretariat Thiruvananthapuram