

No. PBW(C)F (2)-2/2017-Part-V
Government of Himachal Pradesh
Public Works Department

From

Addl. Chief Secretary (PW) to the
Government of Himachal Pradesh

To

1. The Engineer-in-Chief,
HP PWD, Shimla-2.
2. The Engineer-in-Chief(Project),
HP PWD, Shimla-1.

Cseep-32

Dated Shimla-2, the November, 2018.

Subject:- Proposal for grant of permission for laying of Optical Fiber
Cable by Aerial Mode from Km 0/00 to 80/680 in Theog-
Kotkhai-Kharapather-Hatkoti-Rohru.

Sir,

I am directed to refer to your letter No.
PW/CE/NH/Digging-SML/2018-19-4426-30 dated 30-10-2018 on the
subject cited above to convey the approval of the Government for the
draft Terms & Conditions as per Annexure-I for grant of permission
for laying OFC cable via Aerial Mode applicable to all the Telecom
Operators subject to the condition that environment protection w.r.t.
Aerial mode for laying OFC will be taken care of.

You are, therefore, requested to take further necessary
action accordingly.

(D.C. Negi)

Special Secretary (PW) to the
Government of Himachal Pradesh

Endst. No. As above. Dated Shimla-171002, the ²³ November, 2018.

Copy forwarded to All The Chief Engineers, HP PWD (Shimla/
Mandi/ Hamirpur/ Kangra/ NH/ PMGSY/QC&D) for information and
necessary action.

[Signature]
Special Secretary (PW) to the
Government of Himachal Pradesh

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C(FNH)
[Signature]

9/10/18
29/11/18
Dy No-8/60
3/Dec-18

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SES and DB in this
office
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11/2/18

**Himachal Pradesh
Public Works Department**

The OFCs in a duct have major aesthetic advantage because once installed, they are invisible, leaving no mark on the landscape. The underground utility duct provision is best option while widening roads to 2/4-lane traffic standards. On the contrary, the laying of overhead cables on poles specifically erected for the purpose tends to interfere with the overhead electricity distribution system apart from disturbing the aesthetics of the ecosystem.

However, for narrow width of our existing state roads and already upgraded state roads, choosing an aerial mode is a better option because laying OFC above ground would remove the need for digging of road both urban and rural environments and would also be useful on narrow road network in undulating, hilly or rocky strata. Besides, it is typically much faster and cheaper to deploy than buried networks. This allows for pole sharing and speeds-up deployment.

In view of above, it would be prudent to consider the grant permission for overhead laying of OFC cable on purely temporary basis on the Right of Way (RoW) with PWD till the improvement or widening of narrow roads/stretches, whichever is earlier. Accordingly, the following additional terms & conditions are proposed for consideration/grant of RoW Permission for laying of OFC routes via aerial Mode on Theog-Kotkhai-Kharapather-Hatkoti-Rohru from KM 0/00 to 80/680 (80.680 Kms.).

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Additional terms & conditions for grant of RoW permission for laying of OFC routes via aerial mode on Theog-Kotkhai-Kharapather-Hatkoti-Rohru from KM 0/00 to 80/680 (80.680 Kms.).

The RoW permission for execution of OFC via aerial routes subject to adhering to the following additional guidelines:

I. Applicant & Competent Authority:

1. The Department of Telecommunications (DoT), Government of India or any Telecom Infrastructure Provider (TIP) registered with the DoT or any Telecom Services Provider (TSP) licensed from the DoT or an TIP duly authorised by a licensee to lay the communication and connectivity infrastructure (hereinafter referred to as the 'Applicant').

2. The Chief Engineer, National Highways, Himachal Pradesh Public Works Department (HPPWD) or any other authority designated by the Government of Himachal Pradesh (hereinafter referred to as the 'Competent Authority', which expression shall, unless it be repugnant to the subject or context or meaning thereof be deemed to mean and include its successors or assigns).

II. Permission:

3. The Applicant shall survey and submit two sets of the proposed aerial route layout plan/drawings clearly indicating the locations of the poles/structures/boxes etc. within the limited RoW and maps with GPS coordinates for which the permission is being sought along with detailed technical design and drawings of the post/structure or other above ground devices duly approved from approved institutions as mentioned in para below. The details of specific area (in sq. ft. or sq. mtrs.) required for erection of poles and connection boxes for which land is proposed to be taken on lease and details marked on a map viz.; (i) proposed route (ii) number of poles (iii) dimension of poles (height, thickness/diameter), (iv) distance between each pole, and (v) minimum ground clearance for the cable, shall be submitted.
4. The Applicant shall also submit the copy of relevant license granted by the DoT and clearance from Himachal Pradesh State Electricity Board Limited (HPSEBL) for high tension/low tension voltage lines, railways authorities, Environment & Forest Department, concerned local bodies etc. (if applicable).
5. The prior extensive verification of the pre-defined location and number of poles as per aerial route plan to assess the suitability of the locations of joint-use poles outside the road land width of HPPWD shall be done by the officer not below the rank of Assistant Engineer of HPPWD of respective jurisdictions. It shall be ensured that the locations do not disturb road/road structures in any manner during and after erection of poles. The estimate shall be framed accordingly for the restoration of damages caused due to laying of OFC on RoW.

III. Poles and Cables:

6. The poles for aerial OFC shall always be laid at the edge of the RoW. In case of restricted width of the RoW, which may be adequate only to accommodate the carriageways, shoulders, slopes of embankment and drains, the poles shall be laid beyond the toe-line of the embankments and clear of the drain, parapets, breast walls and retaining walls etc. The Applicant shall take all precautionary measures to maintain the ecosystem and aesthetics of that area. Wherever, it is found that it is not feasible to lay the OFC without adversely impacting the existing utilities/ services, the permission shall be denied.

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7. The location of the joint-use poles catering to minimum four service-providers to be erected along roads shall be in accordance with the approved drawings and conditions stipulated by the HPPWD and other concerned authorities.
8. The Applicant shall submit an undertaking that the poles and aerial OFC cater for changes in environmental conditions viz. wind/earthquake and snow/ice loads, as well as seasonal temperature variations that may occur throughout the service life of the aerial OFC. No poles/structures shall be allowed to be installed by any Applicant unless a Structure Stability/ Safety Certificate (SSC) is obtained from any one of the institutes (a) Indian Institute of Technology (IIT) Mandi (b) National Institute of Technology (NIT), Hamirpur (c) Punjab Engineering College (Deemed to be University), Chandigarh (d) Central Building Research Institute (CBRI), Roorkee.
9. The Applicant shall be required to submit the time-frame within which it plans to execute the works. The said plan may provide stretch-wise completion schedule, along with the complete plan. It shall make its best efforts to complete the execution of works within the time-frame indicated in the application.
10. The cables in exceptional cases shall cross the roadway only where there is no alternative and Indian Roads Congress (IRC) guidelines should be followed for minimum vertical clearance over roads or railways, as the case may be. No cables shall be allowed on the bridges and its approaches. The Applicant shall make its own arrangement for crossing of cross-drainage structures, rivers, khads etc.
11. The poles shall not interfere with power transmission lines in any way and clearance from HPSEBL shall be taken by the Applicant, wherever necessary. The height of the pole shall be such that it does not interfere with the electric cables/ distribution transmission system. The sag of cable should be such that it does not interfere with the movement of vehicles at any crossing or movement of public transport/ traffic. Similarly, in case of any interference with the trees, the Applicant shall obtain prior permission from the State Forest Department. The poles shall be erected beyond drains in built up area, and the Applicant shall obtain prior permission of local authorities/inhabitants at its own level.

IV. Safety Precautions:

12. The tools to be used for digging the holes for installation of poles shall be determined predominantly by soil conditions. All the excavation for shall be done by manual means only. No excavator shall be deployed for any kind of excavation. The roads shall be kept free of debris or equipment and the excavated material unsuitable for re-use shall be removed from site as soon as possible and disposed at pre-identified approved dumping sites.

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Trees or other obstructions, which could hinder the placing operation, should be noted and shall only be cut or trimmed after obtaining permission in writing from the owner or the Forest Department.

13. All applicable central, state, and local departments of transportation regulations and codes shall be met including the use of safety equipment such as reflective safety vests, warning signs, barricades, and lighting if work is being performed during non-daylight hours. All traffic control requirements shall be met. Extra care must be taken during the entire installation procedure.
14. The vehicle overhang for poles transportation must never exceed the 0.5m and the vehicle must have a red flag secured on the overhanging end. The safety precautions shall be taken during pole off-loading.
15. All precaution shall be undertaken during installation of special types of fixtures & accessories on the poles to support the OFC and in-services.
16. During the execution of related works, the Applicant shall ensure that no inconvenience is caused to the general public in the process of carrying out its operations. If found necessary, the Competent Authority may direct the Applicant to undertake execution of its works during the off-peak hours or during the night times.

V. Undertakings:

17. The Applicant shall submit an undertaking to execute an Agreement with the Competent Authority.
18. The Applicant shall submit an undertaking to pay all the applicable charges and the Performance Bank Guarantee, as specified to the agency according permission without any default.
19. The Applicant shall submit an undertaking to maintain the infrastructure facilities in good and safe condition at all times during the Operation & Maintenance period.
20. The Applicant shall submit an undertaking to re- relocate the poles at its own cost in the event of requirement of the area for augmentation of public services e.g. widening of roads, pedestrian walkways, etc.

VI. Financial Obligations:

21. The Applicant is required to submit a Performance Bank Guarantee as a security for satisfactory restoration of the sites/ area and such other fees as specified and to execute an Agreement with the Authority within 15 days from the date of issue of the Letter of Intent. The performance Bank Guarantee shall be returned on written confirmation of the Authority on satisfactory restoration of site/area, and till such time the Applicant shall continuously ensure validity of the submitted Performance Bank Guarantee.

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VII. Obligations:

22. The permission granted shall not, in any manner, be deemed to convey to the Applicant any ownership or perpetual rights in respect of the land or structures used for laying the overhead cables or other installations e.g. any poles etc. other than what is therein expressly granted. The permission(s) granted to the Applicant will not be transferable and will be applicable only for the period for which it has been granted.
23. The Applicant shall ensure that each of the sites of the infrastructure systems, such as poles or any other structure, for which permissions have been granted, are easily approachable for maintenance and operation.
24. The Applicant shall, in the course of execution of its works and maintenance thereof thereafter; at all times, adhere to all the safety standards applicable as per relevant guidelines of the Government of India/ State Government. Further, the Applicant shall ensure that the system laid or the infrastructure created by him (e.g. poles etc.) at all times conform to the all norms as prescribed by the Department of Telecom, Government of India or the Telecom Regulatory Authority of India, as the case may be, from time to time
25. In case of violation of any terms and conditions by the Applicant, the Competent Authority shall cause a notice to be served upon the Applicant to rectify the violation within the period specified and grant an opportunity of hearing. Where the Applicant either does not respond to the show cause notice or fails to carry out the requisite rectification within the time specified (which shall be a reasonable time), the Competent Authority may revoke or cancel the permission granted earlier. Where the Competent Authority is compelled to revoke or cancel the permission, the Applicant shall not be entitled for any compensation or any loss caused to it by such cancellation.
26. In case, any shifting or change in alignment of the already laid OFC on poles is necessitated due to widening of roads/ construction of flyovers or public buildings, the Applicant shall be bound to do the same at his own cost within the period specified by the respective authority. If the Applicant fails to comply with this condition to the satisfaction of the HPPWD, the same shall be got executed by the HPPWD at the risk and cost of the Applicant. The charges so incurred on this account shall be recoverable from the Applicant.
27. The permission for RoW and installation of the poles for laying over-head cables on a Non-Exclusive Basis (i.e. joint sharing basis), given the space constraints for RoW for multiple service providers in any specific area, the principle of first mover advantage would operate and the subsequent entrant, if any, may need to share the infrastructure capacity already laid by first-moving service provider. The Competent Authority reserves the right to reject the permission of any Applicant, and has the right to direct Applicant (s) to share the infrastructure capacity available, i.e. available RoW along the roads in the state, as applicable.

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- 28. The second seeker-Applicant i.e. who wish to access the poles installed by an existing TIP/TSP (provider-TIP/TSP), should place its requirement in writing to such provider-TSP/TIP. The provider-TIP/TSP shall respond in writing within 30 days' time. In case of denial of request to access the infrastructure, the provider-TIP/TSP shall give reasons and justification for denial. Commercial terms for sharing of the in-building telecom infrastructure system, may be decided by the provider-TIP/TSP. However, the same shall be done in transparent, fair and non-discriminatory manner.
- 29. The Applicant shall keep the Nodal Officer of the HPPWD duly informed about the progress on a monthly basis, which may be reviewed at regular intervals between the parties.
- 30. Wherever the Applicant is found to be casual or non-serious about timely execution of the related works, the competent authority may revoke the permission granted after grant of an opportunity of hearing to the Applicant's authorised representative. However, where the Applicant's representative is able to establish that any such delay is for reasons beyond their control, the Competent Authority may extend the execution period and allow the work to be completed within the mutually agreed time-frame.
- 31. If the Applicant neither apply nor remove the communication structure, the Applicant would be called upon to show cause as to why action should not be taken against them as per Law. If the Applicant fails to show cause or take corrective measures, the Competent Authority will proceed to get the unauthorized communication structure removed at the expense of such Applicant after having exhausted all the available opportunities to effect the show causes besides taking action as per law.
- 32. The permissions for RoW or Right of Use (RoU) for laying the OFC infrastructure and associated installations may be granted for the period applied for, as may be submit to the permission granted and prescribed in the license/ authorisation by the competent authority.

Brief

"Updation of Ministry's Standard Data Book for Rate Analysis of Road and Bridge Works"

This Standard Data Book is the basic document for preparation of rate analysis of various items involved in the construction of road and bridge works. The existing Standard Data Book – 2003 was updated in the year 2003 based on the Ministry's specifications for Road and Bridge works (4th Revision) - 2001 and other Ministry's guidelines & IRC codal provisions prevailing at that time. After that, number of new machineries, materials and techniques were introduced in the construction of road and bridge works. But due to non-availability of standard formats/guidelines for preparation of rate analysis, the DPR Consultants are preparing the estimates based on their experience which varies significantly from one project to another.

Keeping in view the above facts and to make the uniformity for preparation of estimates, it has become necessary to update the Ministry's Standard Data Book. Accordingly, this project was taken up under NHIP with World Bank assistance and awarded to M/s Lea Associates to complete the updation as well as development of software having the facility to create Schedule of Rates at district level and preparation of estimates of various type of projects.

The software will have the facility to prepare Schedule of Rates (SOR) by the respective State Governments after input of rates of materials, labour, plant and machinery district-wise. A unique login id will be provided to each State which will then input the rates of materials, labour etc. in the software. This will help in creating a standardized SOR across the country which will avoid the DPR Consultant's interpretation in preparing the estimates. The software will also have a feature of preparing estimates for road and bridge works based on the latest machinery, material and technology.

It is proposed that in 1st Phase, Beta Version of the software may be launched for testing purpose for a period of 2-3 months. After receipt of feedback from the users, the final version will be launched. This Standard Data Book along with facility to create Schedule of Rates at District level of each State & UTs and preparation of Cost Estimates is available at MORT&H web site as well at web portal www.sdb.morth.gov.in.