From   Additional Chief Secretary to Government, Haryana,
        Information Technology, Electronics and Communication Department,
        Haryana Civil Secretariat, Sector-1, Chandigarh.

To

1. Additional Chief Secretary to Government Haryana,
   Power Department.

2. Additional Chief Secretary to Government Haryana,
   PWD (B&R).

3. Additional Chief Secretary to Government Haryana,
   Development and Panchayats Department.

4. Principal Secretary to Government Haryana,
   Urban Local Bodies Department.

5. Director General,
   Fire & Emergency Services, Haryana.

6. All the Deputy Commissioners in Haryana.

7. Dr. Mahesh Shukla, Director General, Telecom.

No. Admn/368/2SIT/17876
Chandigarh, dated the 12.09.2022

Subject: **Meeting regarding status of pending Right of Way (ROW) cases- Minutes thereof.**

Sir/Madam,

I am directed to address you on the subject cited above and to enclose a copy of minutes of the meeting held on 25.07.2022 at 4.30 PM under the Chairmanship of Chief Secretary, Haryana for information and necessary action please.

Director(Admin)
for Additional Chief Secretary to Government, Haryana
Information Technology, Electronics and Communication Department

Endst. No. Admn/368/2SIT/17877   Chandigarh , dated the 12.09.2022

A copy alongwith its enclosure is forwarded to the following:-

1. PS to CS- for kind information of Chief Secretary, Haryana.
2. PS to ACSIT- for kind information of Additional Chief Secretary, IT.
3. PA to SSIT- for kind information of Special Secretary, IT.

Director(Admin)
for Additional Chief Secretary to Government, Haryana
Information Technology, Electronics and Communication Department

CC:

1. Head SeMT
2. Nodal Officer, CCIP

<u>Minutes of the meeting held on 25 July 2022 at 4:30 PM under the Chairmanship of the Chief Secretary to Government Haryana.</u>

The list of officers who attend the meeting is at **Annex-I**.

1. Additional Chief Secretary, Department of Information Technology, Electronics, and Communication (DITECH), apprised the officers about the current status of ROW applications specifically after the last meeting chaired by the Chief Secretary on 16 May 2022.

   It was informed that the meeting has been fixed on the request of the Director General (DOT) to review the high rejection cases of ROW in Haryana, specifically during the period before 16 May 2022 and 22 July 2022.

2. Following details were presented:

i.	Pending ROW applications on 15-05-2022	:999
ii.	New ROW applications received after 15-05-2022	: 1804
iii.	Total ROW application received as on 22-07-2022	: 2803
iv.	Total Cleared ROW applications as on 22-07-2022	: 418
v.	Total rejected ROW applications as of 22-07-2022	: 1294 (**75.58%**)
vi.	Total pending ROW application as of 22-07-2022	: 1091

   It was stressed that the overall rejection rate of **75.58%** is very high.

3. ACS,DITECH further mentioned that the rejection rate for ROW applications is very high in few districts (beyond 90%) for instance: Rohtak (100%), Ambala (97%), Kaithal (97%), Karnal (96%), Sonipat(94%), Panipat(93%), Yamunanagar (93%), Nuh (90%), Hissar (91%), Kurukshetra (91%); with Rohtak sitting on top with 100% rejection. Such a high rejection rate is a matter of concern and insisted that just to clear the pendency, the reject option must not be exercised.

4. The CS took a serious note of the same and interacted with DCs one by one to understand the primary reasons for rejection. The Deputy Commissioners apprised that the rejections are mostly related to the non-submission of documents as per the requirements of the CCIP policy.

5. ACS IT presented the major rejection reasons extracted from the Database:

   a. Applications are getting rejected due to the non-submission of an attested copy of the lease Agreement Deed/Consent Agreement Deed, signed by the applicant and the owner of the site/building as the final

agreement is only signed once the approval from the District Administration is received.

b. Many times the applications are rejected as the Nodal Officer/local Body needs a copy of the NOC from building owners/entities having rooftop rights (in case of roof-based towers or from land owners in case of the ground-based tower);

c. Districts are asking for the latest Fard copy and rejecting cases if the same are not submitted by applicants.

d. District Administration is asking for acknowledgment receipt issued by TERM Cell at the time of submission of application however the same can be submitted within 30 days after radiating the tower.

e. Further applications are getting rejected at the District level as applicants are unable to get the NOC issued by the Fire Safety Department in the case of high-rise buildings.

f. Majority of applications are getting rejected due to the non-submission of a SACFA clearance/ copy of SACFA application for the said location submitted to Wireless Planning & Coordination (WPC) wing of DoT with registration number as WPC (having Acknowledgment along with an undertaking that in case of any objection/rejection, the licensee will take corrective actions/remove the tower).

6. Following discussions were held:

   i.   CS emphasised that all the DCs should hold meetings with TSPs/IPs to rationalise the process for accepting the ROW applications as it is very important in terms of upgrading connectivity in Haryana.

   ii. DG F&ES mentioned that in case of fire safety NOC is issued by the Fire Department Authority or ULB. The guidelines w.r.t fire safety are ensured for different property types like residential or commercial. It was further informed that if any clarification is required on whether Fire NOC is mandatory or not in such cases, the same will be issued by DG Fire and Emergency Services.

   iii. PS ULB informed that the lease Agreement Deed/Consent Agreement Deed is signed by the applicant and the owner of the site/building and accordingly as per the existing norms different types of municipal taxes/ fees need to be paid at the time of signing the lease deeds. Also, as a

general tendency, both the parties (i.e.,Lessee & Lessor) try to avoid paying the government.

    iv.   DG, DOT requested that more clarity is required on the documents to be submitted by the TSPs/IPs for speedy processing of the applications and low rejection rate.

    v.   DG, DOT, mentioned that compounding charges which are being charged for the regularisation of Towers by departments need to be re-considered/ waived off.

7. After due deliberations following decisions were taken:

a. CS desired that ACS IT will coordinate and hold a meeting with the following departments to settle the issues related to documents listed in CCIP policyand propose corrective actions within 10 days.

    i.   Department of ULB

    ii.   Power Department

    iii.   PWD, B&R

    iv.   DG Fire & Emergency Services

(Action By: IT, POWER, ULB, PWD-B&R, FIRE Dept.)

b. It was decided that the IT department may issue an advisory on the below-mentioned arrayed documents for more clarity on CCIP policy:

    i.   To the submission of certificate for **Electro Magnetic Radiation (EMR).**

    ii.   To the submission of **Copy of the SACFA**clearance

(Action By: IT dept.)

c. It was also decided that PS ULB may look into the matter related to the documents and other reasons which are leading to rejections and accordingly advise districts.

(Action By: ULB Dept.)

d. Regarding Compounding Charges, CS suggested that the TSPs/IPS must pay the charges as per the rules/ Act applicable. DG DOT was asked to convene a meeting with TSPs/IPs and sensitise the same to all.

(Action By: DOT)

8. ACS, DITECH suggested that all DCs should take cognisance of the pending ROW Cases and try to close within 30 days and ensure that there's no pendency beyond 45 days.

(Action By: All the DCs)

9. DG, DOT further appreciated the efforts of the Haryana Government for the seriousness in order to deeply understand the issues and accordingly take corrective actions with a view to streamlining the process to clear the ROW applications.

10. CS desired to hold another meeting with all stakeholders including Districts after one month to review the progress of the decisions taken in this meeting.

(Action By: IT Dept.)

The meeting ended with thanks to all the participants.

List of officers who attended the meeting held on 25 July 2022 at 4:30 PM under the Chairmanship of the Chief Secretary, Haryana

From the Government of Haryana

1) Sh. Sanjeev Kaushal, IAS, Chief Secretary, Haryana...In Chair

2) Sh. Pranab Kishore Das, IAS, Additional Chief Secretary and Financial Commissioner, Revenue & Disaster Management Department

3) Sh.Anil Malik, IAS, Additional Chief Secretary, Information Technology, Electronics, and Communication Department

4) Sh. Arun Kumar Gupta, IAS, Principal Secretary, Urban Local Bodies Department

5) Sh. Ashok Kumar Meena, Director General, Fire & Emergency Services-Haryana

6) Dr. Yash Garg, IAS, Special Secretary Information Technology, Electronics, and Communication Department

7) All the Deputy Commissioners / Municipal Commissioners / Additional Deputy Commissioners in the State (through VC)

8) Sh. Munish Chandan, Head SeMT, Information Technology, Electronics, and Communication Department

9) Sh. Kamleshwer Keshri, Nodal officer, CCIP, Information Technology, Electronics, and Communication Department

10) Sh. P K Dhaka, PWD-B&R Department

11) Sh. Jitendra Joshi, HCS, Panchayat Department

12) Sh. Veenus Nathalia, AE-IT, Development & Panchayat Department

From the Department of Telecommunications, Ministry of Communications, Haryana Licensed Service Area (LSA).

13) Dr. Mahesh Shukla,Director-General (through VC)

14) Sh. Wasi Ahmed, Sr. DDG, Haryana

15) Sh. Sanjay Kumar Jindal, Deputy Director General (Rural)

16) Sh. B.S.Nagar, Director (R)