

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

RB/ L&A No. 55 / 2005

No. 2001/ LML/ 24/ 20

New Delhi, dt 16.08.2005

The General Managers,
All Zonal Railways,
Production Units.

The Directors General,
RDSO, Lucknow,
RSC, Vadodara.

The Director,
IRICEN, Pune.

Sub: Permission of laying Optic Fibre Cable crossing under railway tracks.

Ref: Board's policy circular of even No. dt. 18.10.2001, as amended by circulars of even No. dt.22.02.02, 17.09.02, 21.11.02, and 17.02.04

Board have decided that in supersession of all the policy circulars mentioned at reference above, the policy for **laying Optic Fibre Cable crossing under railway tracks will be as under:**

1.1 The guidelines for way leave facilities issued vide Board's letter No.1997/LML/24/3, dt. 27.11.2001 will be broadly applicable for grant of way leave facilities for optical fibre cable crossing also, subject to the following:-

- i) The charges to be levied for way leave facilities would be as under:-
 - (a) 6% (six percent) of the market value of land subject to a minimum of Rs. 10,000/- (Rs. Ten thousand) per annum per crossing. The length involved should normally not exceed 100 (One hundred) metres. For calculation of way leave charges, the width of land will be actual subject to a minimum of 1(one) metre.
 - (b) For purpose of laying OFC along the length of bridge, 6% (six percent) of the market value of land in approaches, subject to a minimum of Rs. 25,000/- (Rs. Twenty five thousand) per annum per bridge, would be charged. In addition, an amount of Rs. 100/- (Rs. One hundred) per metre for the length of the cable under the bridge would also be recovered as bridge surcharge. If any crossing of track is required for laying the OFC, the same would be permitted only outside the bridge proper.
 - (c) For purpose of laying OFC through ROBs, 6% (six percent) of the market value of land in approaches, subject to a minimum of Rs.10,000/- (Rs. Ten thousand) per annum per crossing through ROB, would be charged. For

calculation of way leave charges, the length would be as per actual and width of land should be on actual basis subject to a minimum of 1(one) metre.

2. These charges shall be payable in advance in block of 10(ten) years. Discounting of future cash inflows at prevailing interest rates announced by RBI for Govt. Securities would be permissible. While calculating the advance equivalent to 10 (ten) years annual charges, annual increase of 7% (seven percent) in land value would be assumed. Adjustments needed because of variation vis-a-vis actual increase as per rates notified by local development authority or as obtained from District Collector, would be carried out at the time of payment of the installment of way leave charges for the next 10 (ten) years.

3. Before entering into any contract with the party concerned, the feasibility of providing/permitting the proposed crossing should be examined and established by DEN/Sr.DEN in consultation with DSTE/ Sr. DSTE and the proposal should be approved by DRM.

4. Before granting way leave facilities for laying of optical fibre cable, the Division must ensure that the Agency has got requisite license from the Department of Telecommunication, Government of India, BSNL/MTNL for laying of optical fibre cable in the area.

5. With a view to keep the processing time to the minimum, Railways may adopt following procedure on working out way leave charges based on land value:-

- i) The Agency makes a provisional payment to be advised by the Division, adequate to cover likely way leave charges. A rough assessment of these charges can be made based on the sanctions accorded in the division in earlier similar cases;
- ii) The Agency submits an indemnity bond for making good any shortfall, which might arise, if the way leave charges as actually calculated work out to be more than the provisional payments made by them; and
- iii) The Agency agrees to sign the requisite way leave agreement within the framework of Board's letter No. 97/LML/24/3 dated 27.11.01, after the exact charges are worked out and formal permission granted.

6. Appropriate advance deposit would be required if the work is carried out by Railways on Deposit terms. Likewise, Supervision charges would be involved if work is executed by the party. These should be recovered as per normal provisions. Railways must ensure that exact supervision charges where Agency

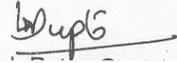
directly executes the work, or cost of deposit work where Railway executes the work, is calculated early, and recovery effected before execution of the work

7. Way leave charges should be worked out and all other formalities completed within a reasonable time after grant of permission and a formal agreement signed with the Agency. Adjustments of any excess amount deposited by the Agency or any additional payments due from them should be made.

8. Broad guidelines to be followed by the Railway is enclosed.

9. These instructions will be effective from the date of issue of this letter. Decisions taken earlier need not be revoked.

10. This issues with the concurrence of Finance Directorate of the Ministry of Railways.



(DESH RATAN GUPTA)
Director(Land & Amenities)
Railway Board

No.2001/LML/24/20

New Delhi, dated 16.08.2005

Copy forwarded to:-1.The FA&CAOs/All Indian Railways, Production Units
2.JD(Fin), RDSO, Lucknow; 3.The Deputy Comptroller and Auditor General of
India (Railways), Room No.224, Rail Bhavan (with 45 spares).

for Financial Commissioner Railways

Copy to F(X)-I, Railway Board, New Delhi.

BROAD GUIDELINES TO BE FOLLOWED FOR OPTICAL FIBRE CABLE CROSSING BY AN OUTSIDE AGENCY

1. The crossing shall be permitted only when no convenient route other than crossing the track is available.
2. The technical feasibility of the proposed crossing should be examined and established by the DEN/Sr.DEN in consultation with DSTE/Sr.DSTE.
3. The Division must ensure that the Agency has got requisite license from Department of Telecommunication, Government of India for laying of optical fibre cable in the area before granting way leave facilities.
4. As far as possible, cable crossing shall make use of any existing culverts, subways etc.
5. Where the cable is to be laid under a railway track, the use of cast iron spun concrete or any other pipe for protection of the cable is obligatory.
6. The pipes shall be of suitable diameter and strength.
7. The pipes shall be laid at not less than 1mt. below the formation level.
8. It shall be ensured that it would be possible to withdraw the cable for repairs or replacement without disturbing the railway track formation.
9. The pipes shall be laid with a gradient to facilitate drainage of water, if any.
10. The pipes shall be laid upto the railway boundary at both ends or upto the point as prescribed by the Railway.
11. If the underground cable is armoured, the armour shall be earthed by independent earths at the two sealing ends of the cable. No further earthing of the armouring of the cable shall be done within 500 mt. of the electrified track. The scheme and method of earthing shall be approved by the Railways.
12. Each cable crossing shall be indicated by at least two cable markers, one at each end of the crossing, within the railway boundaries. The cable marker shall be fixed at both ends of the underground crossing. They shall be of a design approved by the Railway.
13. Before the agency commences any work on a crossing, it shall obtain the approval in writing, of the Railway for the proposed location and the method of execution of the crossing.

14. For taking approval, the agency shall inform:-
 - i) Location of the proposed cable crossing
 - ii) Names of the railway stations on either side of the crossing
 - iii) The distance of the crossing from the nearest railway station
 - iv) Detailed drawing of lay-out and site plan showing protective pipe, cable marker, earthing arrangement etc.
 - v) The Angle of crossing the track. As far as practicable, the cable should cross the track at right angle to it.
 - vi) Details of the license obtained from Department of Telecom, Government of India for laying optical fibre cable in the area.
15. The agency shall notify the Railway in writing at least 7 days in advance on the date on which it will commence the work of construction of crossing. The Sr. DSTE/DSTE or his representative may, if he so desires, inspect the site of the crossing during the construction to ensure that it is being constructed in accordance with the approved designs and drawings.
16. In the event of it being necessary in the opinion of the Railway to protect the railway tracks, the cable crossings shall be carried out by the railway at the cost of the agency.
17. Neither the agency nor his employees will enter the railway land for any purpose, whatsoever, in connection with crossing without the consent in writing of the railway without any cost to the Railway.
18. If for convenience of operation, the railway desires shifting or removal of the crossing, the owner will carry out such works within a reasonable period determined by the railway and all costs for the same shall be borne by Agency.
19. The railway may at any time be at liberty in its absolute discretion to suspend temporarily or terminate permanently this arrangement in the interest/safety of Railway operations and all or any of the privileges granted to the agency.
20. The Railways shall not be responsible for any damage to the crossing and other property of the owner due to an accident in the working of the Railway due to any cause whatsoever.
21. The owner will not sublet, transfer or assign this agreement or any of the privileges granted without the previous consent in writing of the Railway.
22. The Agency is not given any rights over the property of the Railway.