

GOVERNMENT OF PUDUCHERRY

ABSTRACT

Power - Scheme for utilization of electric poles for stringing cable TV wires, broad-band wires for the purpose of Right of Way and installing advertisement boards, bill boards and other forms of advertisement, etc - Notification - Issued.

INDUSTRIAL DEVELOPMENT (POWER) DEPARTMENT

G.O. Ms. No. 36

Puducherry, dt. 05.12.2018.

READ: I.D.No.376/ED/SE-HoD/P&M/F.10/2018-19 dated 12.06.2018 and 22.10.2018 of the Superintending Engineer-cum-HOD, Electricity Department, Puducherry.

ORDER:

The following notification shall be published in the next issue of the official Gazette of Puducherry:

NOTIFICATION

Approval of the Lieutenant-Governor, Puducherry is hereby conveyed for the scheme for utilization of electricity poles for the purpose of stringing cable, broad-band wires for the purpose of Right of Way and installing advertisement boards, bill boards and other forms of advertisement, etc in the Union Territory of Puducherry as per the scheme guidelines attached herewith.

-// By Order of the Lieutenant-Governor //-

(CHAURE RATNAGHOSH KISHOR)
UNDER SECRETARY TO GOVT. (POWER)

To
The Director of Stationery and Printing,
Puducherry.

} With a request to send 25 copies of the notification published in the official Gazette to this Secretariat and 50 copies to the Electricity Department.

Copy to:

1. The Superintending Engineer-cum-HOD, Electricity Department, Puducherry.
2. The Special Secretary (Revenue)-cum-District Collector, Puducherry.
3. The District Collector/ Karaikal.
4. The Regional Administrator Mahe/Yanam.
5. The Director, Local Administration Department, Puducherry
6. The Deputy Accountant General (Audit-I), Puducherry.
7. Central Record Branch, Puducherry.
8. G.O. File/ Spare.

(No.F.12011/4/ID(P)D/2015/P1(PF))

SCHEME FOR USAGE OF ELECTRICITY POLES FOR SERVICES OTHER ELECTRICAL SUPPLY

The Government of Puducherry has framed a scheme for utilization of electricity poles for the purpose of stringing cable TV wires, Broad-band wires for the purpose of Right of Way and installing advertisements boards, bill boards and other forms of advertisement, etc.

Short title & commencement.-

(a) "Scheme for usage of electricity poles for services other than electrical supply."

(b) The scheme shall come into force with immediate effect from the date of publication in the Official Gazette. However, the existing cable TV operators, optical fibre operator, Broad-band operator, advertising agency, etc., presently using the existing infrastructure for stringing the wires, etc. may register and regularise their activities by making the payment of the required charges within one month from the date of notification of this scheme.

1. Introduction.- The Electricity Department, Government of Puducherry seeks to promulgate guidelines to regulate activities of agencies utilizing electricity poles unauthorizedly for stringing Broad-band wires and Cable TV cables as well as installing advertising boards, bill boards and other forms of advertisement.

2. Objective.- (1) To curb the misuse of using the electricity poles and also avoid objectionable advertisements.

(2) to ensure additional revenue to the Department.

3. Usage of electricity poles.- (i) Subject to no-interference with electricity supply or street light illumination, electric poles may be permitted to be utilized, for the purpose of stringing cables of optical fiber cables/broadband/cable TV network etc. as well as advertisement boards, on payment of due fees fixed for the purpose.

(ii) The cable TV operator, optical fiber operator, broadband operator advertising agency, etc., so using the electricity poles shall be hereafter called as 'User'.

(iii) Such usage by User shall be subject to prior written approval of the Electricity Department. The serial number of such approval shall need to be written/ displayed on advertisement board/cable, such that it is visible to naked eye.

(iv) Such usage shall be strictly regulated in terms of guidelines prescribed in this scheme.

4. Technical specifications.- (i) The electricity pole may be utilised for stringing any type of cable provided that the maximum permissible weight of the supporting wire and/or cable taken together should not exceed 200 grams per meter length and such hanging/stringing does not exceed 50 meters in length pole to pole. However, the number of cables allowed to be strung between the Street light poles is restricted to a maximum of 10. The cable or their supporting wires along with any other equipment shall be strung at a distance of at least 2.5 meters, below the position where electricity supply wire/cables or street light is positioned. The current rating of the cable TV cable/optical fibre cable/broadband cable should be limited maximum up to 5 mA. Minimum 12" spacing between the telephone cable and TV cable has to be maintained.

Provided that the cable shall not pass through / connected to Transformer Structures.

7. Contract period.- (i) Any person/advertising agency/cable TV and Broad Band operator shall be allowed usage of the electricity poles for minimum period of 3 months and for a maximum period of 2 years. The same could be extended for a maximum of 1 year at a time for an additional period.

(ii) The Electricity Department reserves the right to terminate the contract period in case of any violation of the guidelines stipulated in the scheme or in case of any technical requirements. In the event the contract is terminated by the Department for any reason, then the balance amount of charges, paid to the Department shall be refunded on pro-rata basis at an interest rate of 6% per annum.

8. Penal Charges.- (i) Penal charges shall be recoverable for failure of use to remit payment of quarterly rental in advance of the beginning of every quarter and will result in termination of contract and the advance payment, if any, forfeited.

(ii) The penalty shall be equal to the rental amount for the balance period of contract along with interest of 15% on the delayed payment.

(iii) In addition, the advertisement boards/cables/Broad Band wires shall be removed, at the risk and cost of User and usurped by the Department without any further notice to the user. Only on payment of penalty as at (ii) above, the user shall be entitled to claim back the usurped material.

(iv) The User could also be blacklisted for violations on account of default in timely payment of rentals.

(v) The Assistant Engineer concerned would also register a complaint against the User in the concerned Police Station in case the cable or advertisement is installed unauthorisedly.

9. Indemnification and Insurance.- (i) The cable/Broad Band wires/advertisement board shall be installed at sole risk of the person/advertising agency/cable TV operator, and the user shall be solely responsible for all consequences arising out of any damage, including to any property or life.

(ii) The Department shall not be liable for any damage to any property or life caused thereof.

(iii) The person/advertising agency/cable TV and Broad Band operator would need to have an insurance policy for third party damages, including damage to Government property, from such usage and for indemnifying the Department and its officials from any consequences flowing out of the usage of electricity poles.

(iv) A Security Deposit of an amount of Rs.10,000/- (Rupees ten thousand only) shall be paid by the Cable TV / Broad Band operators and Rs. 5000/- (Rupees five thousand only) by the Advertising agencies.

10. Periodical Inspection.- Periodical Inspection shall be carried out by the jurisdictional Engineers/staff of the Department and action shall be taken if any violation is noticed.

11. Transfer of Ownership.- Transfer of ownership of the firm or sell the user rights to any person shall not be carried out without the permission of the Department.

12. Authority to grant permission.- The Executive Engineer of the Division of Electricity Department in whose jurisdiction electricity pole is situated/located shall be the competent authority to grant permission and Assistant Engineers collect rental charges.

13. Interpretation of the provisions of this scheme.- If any question arises regarding interpretation of any expressed or implied clause, word, expression concerning the scheme, the decision shall rest with the Electricity Department, Government of Puducherry and its decision shall be final and binding on all concerned.

14. Redressal of grievances and dispute.- (i) Grievances or disputes, if any, arising out of implementation of this scheme, shall be referred to the concerned Superintending Engineer-O&M, Electricity Department, Puducherry who shall hear and decide such matters and his decision thereon shall be final and binding on all concerned. Appeal against his decision will lie with the Superintending Engineer-cum-HoD, Electricity Department, Government of Puducherry.

(ii) If any difficulty arises in giving effect to any of the provision of these schemes or there is a dispute regarding interpretation of any provision, the matter may be referred to the Committee, who after consulting the parties effected, where judged necessary, pass necessary orders to resolve the matter. The Committee shall comprise of Superintending Engineer-cum-HoD, Superintending Engineer-MP & OR, Superintending Engineer-O&M, Puducherry and Under Secretary to Government (Power).

15. Advertisement ethics.- The advertising boards shall need to comply with advertisement ethics and hence cannot be used to display any objectionable advertisements such as tobacco, psychotropic and narcotic products, containing any vulgarity and which could cause any harm or hatred towards any religion, caste or creed, or create law and other problems. The advertising agencies shall invariably obtain the concurrence of the concerned Municipalities / Commune Panchayats for the advertising materials and produce the same at the time of registration for the approval of the department.

16. Amendments & relaxation of the provisions.- The Government shall be empowered to amend any or all of the clauses or conditions of this scheme to deal with in genuine hardship.



(CHAURE RATNAGHOSH KISHOR)
5-12-18
UNDER SECRETARY TO GOVT. (POWER)

GOVERNMENT OF PUDUCHERRY

ELECTRICITY DEPARTMENT

(Form for use of Electricity Department's infrastructure for miscellaneous activities)

To,

The Executive Engineer,

Name of the Division/

Electricity Department, Government of Puducherry,

Sir,

This requisition is for use of your existing electrical infrastructure such as pole for the purpose mentioned here below covering area within the jurisdiction of your Division.

I/We hereby request you, issue us the necessary permission. The jobs shall be carried out as per the guidelines issued by Department strictly adhering to the safety norms and maintaining the permitted clearances as per the Indian Electricity rules, Central Electricity Authority Regulations and Electricity Act, 2003. Location specified being within the area under your jurisdiction.

The details are as stated here below :-

(1) Agency's/Applicant's name/Address (In Block Letters):

(2) Agency's/Applicant's Telephone No. Mobile No.

1. Status of the applicant with respect to the premises

(i.e. Owner/Occupier/Authorized Person/Director):

2. Description of the premises/firm:

No./Name

Street

Name & present Address of the Owner (if the premises belongs to another person):

(3) Installation of (Advertisement boards/Cable TV and Broad Band network on electricity poles

Nature of works (Advertisement boards/ Cable TV networks	Unit	Quantity	Voltage level on Location (specify poles 440v/11KV/22KV poles Nos)
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For Advertisement boards specify the
Size of board, gross weight including
Clamping provisions and matter
involved

For Cable TV networks specify the size
Of Cables, weight per meter including
Clamping provisions

For Broad Band Networks specify the
Size of cables, weight per meter
Including clamping provisions

I/We, the Applicant/Agency's/etc., do hereby declare that the above facts are true and correct in all respects and to the best of my/our knowledge.

Yours faithfully,

(Applicant's dated signature)

Name of applicant:

Date: The day of 20

TERMS AND CONDITIONS FOR PROVIDING ADVERTISEMENT BOARDS, LAYING CABLE TV AND BROAD
BAND NETWORK

1. The size of the board shall be in line with the guidelines issued by the Department and the Electrical safety clearances shall be maintained as approved by the concerned Assistant Engineer and Executive Engineer.
2. The cables of TV network communication shall be laid in accordance with the Departmental guidelines and shall be adhered scrupulously.
3. The weight of the material used shall not be beyond the approved weight by the Department.
4. The safety aspects for the execution and maintenance shall be taken care by the agency and solely responsible for the consequences, if required carried out under the supervision of Licensed Supervisor.
5. The line clearance shall be in accordance with the Indian Electricity Rules/ Regulations of Central Electricity Authority requirement and ensured scrupulously.
6. The infrastructure proposed shall in no way obstruct the departmental staff while attending the work.
7. The agency shall periodically inspect and ensure the safety and aesthetic view of their material so as to avoid creating bad impression about the department system.
8. Agencies shall ensure timely maintenance of the services provided by them.
9. The agencies shall abide rules and regulations issued by the Department at any point of time.
10. The payment of the charges shall be on or before every succeeding month and renewal security deposit regularly.
11. The Department after issue of 15 days notice shall have the right to remove and confiscate the materials which have become hazardous/hazardously fixed/not properly maintained/not fixed/not maintained within the permissible line clearances.
12. Any other terms and conditions specified by the department.

Declaration

I/We hereby declare the I/WE desire to use the Departmental infrastructure and agree with the stipulated conditions of the Electricity Department for such use and shall be bound to use within the stipulated conditions and specifications for the purposes mentioned in the requisition for a period of not less than one year from the date of permission granted or as determined by the Electricity Department and simultaneously bound to the safety provisions as per the IE Act, 1956, CEA Regulations and the Electricity Act, 2003 and to pay the Electricity Department's charges applicable to me/us from time to time in force. The responsibility and cost towards maintenance of such materials during the service period shall entirely be borne by us and for which the department shall not be indemnified under such circumstances.

Applicant's Signature

List as enclosures to be attached

1. Copy of Registration of Cable TV, Broadband etc.
2. No. of Electrical poles and length.