

**Government of Punjab**  
**Department of Industries & Commerce**  
**(Infra Section)**

To

1. Additional Chief Secretary, Housing & Urban Development.
2. Administrative Secretary, Rural Development & Panchayats.
3. Secretary, Public Works (B & R).
4. Secretary, Local Government.
5. Secretary, Punjab Mandi Board.
6. Managing Director, PSIEC.
7. All General Managers, District Industries Centre in the State.

Memo no. infra/RoW/Portal/25/223-A  
Dated:- 14.01.2025

**Sub:- Information form for submission of online applications for establishment of Mobile Tower/Pole on property other than public property.**

Kindly refer to the subject cited above.

In this context, you are already aware that Telecommunication (Right of Way) Rules, 2024 has been implemented from 01.01.2025. The information form under Rule 15 of the said rules for establishment of Mobile Tower/Pole on property other than public property has made live on portal.

The workflow to be followed for the said information form is as follows:-

1. Facility Provider (FP) (TSP/IP) will fill and submit the "Information Form" for Telecommunication network in property other than public property on the IPBF portal.
2. Information form will be received by General Manager DIC of the concerned District. (It will be **Date of Receipt of Information form**)
3. GM DIC will check the application and the attached documents; and subsequently GM will then give comments regarding it which may also include seeking of any clarification or any further documents. With his/her comments, GM will forward the "Information form" to the concerned Department/Public Entity i.e., LG or HUD or others under whose jurisdiction area falls.
4. The Concerned Department/Public Entity will examine the Information Form forwarded by GM and:

Either the concerned department will send back the Information Form to Facility Provider (TSP/IP) directly for seeking all clarifications or further documents, as may be required, through the portal, in one consolidated requisition after taking in account the comments of GM DIC also. **Or** If no further clarifications or documents are required then the concerned department will forward the Information Form to the General Manager with recommendation to issue "Acknowledgement" on the portal. It is to be noted until provided information is not complete or correct as per information form, the concerned department will not recommend acknowledgement and onus will lie with Facility Provider to provide the same.

5. On receiving the recommendation from the Concerned Dept/Public Entity, General Manger will forward the application to District Commissioner to issue Intimation letter acknowledging the receipt of Information Form.

6. Deputy Commissioner will issue acknowledgement.

You are requested to kindly pass instructions to the concerned Officials/Officers of your department to strictly comply with above said workflow for processing of RoW Applications and as per rule 15 of Chapter V of Telecommunication (Right of Way) Rules, 2024 (copy enclosed).

Encls: As above

*RajKaur*  
Superintendent (Infra)  
2

Endst No. infra/RoW/Portal/25/ 224-A

Dated:- 14/01/2025-

A copy of the above is forwarded to the following for information & necessary action:-

1. Additional Director General Telecom, DoT, LSA Punjab.
2. All active Telecom Service Providers/Infrastructure Providers/Facility Providers in the State.

*RajKaur*  
Superintendent (Infra)  
2

conditions of such deemed permission, which shall be based on the same principles, had the permission been granted under sub-rule (2) of rule 7 or sub-rule (2) of rule 9, as the case may be.

- (1)
  - (2)
  - (3) The public entity shall not levy any entry fee for access, or any charge, fee, rent, annuity, compensation, bank guarantee or any other financial contribution in any form, for the establishment, operation or maintenance of telecommunication network for special projects, or for restoration of the site where such projects are located, under this rule.
  - (4) Save as otherwise provided under this rule, all other provisions of these rules shall be applicable to special projects notified pursuant to sub-rule (1).
13. **Obligations of facility provider in undertaking work.** – Where a facility provider has been granted right of way under these rules, such facility provider shall ensure the-
- (a) payment of all amounts as specified under these rules, and adherence to the terms and conditions of the grant of permission from the public entity;
  - (b) implementation of measures to mitigate public inconvenience and ensure public safety, including measures to ensure the structural safety of overground telecommunication network; and
  - (c) maintenance of up-to-date digital information relating to all underground telecommunication network established by such facility provider, including as-built information updated at a frequency as specified by the Central Government, through positional intelligence and other appropriate technology, which shall be shared and updated on demand, through the portal, with the designated officer, as may be notified by the Central Government in this behalf.

14. **Powers of public entity with respect to ongoing work.** – (1) The public entity may, for the purpose of monitoring or inspecting the execution of work by the facility provider to ascertain compliances with the conditions of the grant of permission, authorise an officer of the public entity.

- (1)
- (2) The concerned public entity may, on the basis of such monitoring and inspection, and after providing reasonable notice to the facility provider of the same, through the portal, impose such other reasonable, relevant and evidence-based conditions as it may think fit, to be recorded in writing.
- (3) If the facility provider does not make payments required to be made pursuant to the terms and conditions for grant of permission, and within a period of fifteen days from the date of issuance of the notice for such termination, the public entity shall have the right to terminate the permission so granted.
- (4) If the public entity comes to the conclusion that the facility provider has violated any of the conditions for grant of permission, other than as specified under sub-rule (3), it shall upload on the portal a notice to the facility provider, specifying the conditions alleged to have been violated and call upon the facility provider to show cause within a period of fifteen days, as to why action should not be taken under sub-rule (5).
- (5) Upon due consideration of the response of the facility provider, if any, under sub-rule (4), the public entity concludes that there has been a violation of the condition for grant of permission of right of way, it may encash, in full or in part, the bank guarantee, if any, submitted by the facility provider pursuant to sub-rule (9) of rule 7, or withdraw the permission granted to the facility provider, or both, for reasons to be recorded in writing and uploaded on the portal.

## CHAPTER V

### ESTABLISHMENT, OPERATION AND MAINTENANCE OF TELECOMMUNICATION NETWORK IN PROPERTY OTHER THAN PUBLIC PROPERTY

15. **Establishment of telecommunication network in property other than public property.** – (1) Any facility provider desiring to enter any immovable property other than public property, for the purposes specified under subsection (2) of section 12 of the Act, shall do so with the prior consent and enter into an agreement with the person who has ownership, control, or management over such property:

Provided that such person and the facility provider may mutually decide whether to get the agreement registered under the provisions of the Registration Act, 1908 (16 of 1908), pursuant to sub-section (3) of section 14 of the Act.

- (1)
- (2) An agreement under sub-rule (1) shall provide for matters relating to-
  - (a) the time and manner of entry of the facility provider into the property, and advance notice, if any, to be provided for such entry;
  - (b) the consideration to be payable by the facility provider;
  - (c) the steps to be taken in the event of any damage to the property, including restoration of the property to its state as it existed prior to the undertaking of such activities, failing which, the facility provider shall pay compensation for such damage as may be mutually agreed; and
  - (d) specify other conditions including measures to mitigate any inconvenience and enhance safety, including structural safety, as well as measures relating to maintenance of the telecommunication network so established.
- (3) A public entity shall not levy any fees, charges, rent, annuity, compensation, or require any bank guarantee or any other financial contribution, for the establishment, operation and maintenance of telecommunication network in property other than public property.
- (4) In the case of establishment, operation and maintenance of mobile tower or pole over such property, the facility provider shall, prior to commencement of such establishment, submit information in writing, in the form provided for this purpose on the portal, to the concerned public entity along with details of the building or structure where the establishment of the mobile tower or pole is proposed, and a copy of certification by a structural engineer authorised by a public entity, attesting to the structural safety of the building or structure where the mobile tower or pole is proposed to be established.

**16. Manner of permitting right of way by Central Government in public interest.-** (1) If a facility provider fails to reach an agreement with the person under sub-rule (1) of rule 15, it may submit an application through the portal, along with the supporting documents to the District Collector or other designated officer as may be notified by the Central Government in this behalf, within whose jurisdiction the property is situated, for a determination as to whether such right of way is necessary in public interest.

- (1)
- (2) Upon receipt of an application under sub-rule (1), the District Collector or other designated officer, as the case may be, shall within thirty days, either-
  - (a) reject the application for permission of right of way; or
  - (b) provide notice to the person having ownership, control or management over the relevant property, specifying the nature of right of way sought by the facility provider.
- (3) Any notice under clause (b) of sub-rule (2), may be served on such person by a messenger in-person by handing over such notice and obtaining his signature on a copy thereof.
- (4) In case, the service of such notice is not reasonably possible under sub-rule (3), then, such notice shall be sent to the concerned person by registered post with the acknowledgment or by speed post at his known residence and the delivery of such registered post or speed post to such person shall be the service on him of such notice and in case he refuses to receive such registered post or speed post, the remarks of such refusal by a post office official on the registered post or speed post shall be deemed to be the service on such person of such notice.
- (5) In case, the service of such notice is not reasonably possible under sub-rules (3) and (4), then the contents of such notice shall be published in a leading newspaper, both in vernacular and in English, having wide circulation in the area or jurisdiction in which the concerned person resides, or carries on business, or personally works for gain, and such publication shall be deemed to be the service of such notice on such person.
- (6) The person referred to in clause (b) of sub-rule (2), shall within fifteen days of the notice being served under sub-rule (3) or sub-rule (4) or sub-rule (5), as the case may be, may respond in writing in the form provided for this purpose, as regards the concerns and objections to the right of way, or conditions subject to which right of way may be considered.
- (7) The District Collector or other designated officer, as the case may be, shall after taking into consideration the application under sub-rule (1) and the responses under sub-rule (6), determine by order in writing, whether