

जितेन्द्र शंकर माथुर, आई.ए.एस.
JITENDRA SHANKAR MATHUR, IAS

अपर सचिव

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भारत सरकार
सूचना एवं प्रसारण मंत्रालय
शास्त्री भवन, नई दिल्ली-110001

GOVERNMENT OF INDIA
MINISTRY OF
INFORMATION & BROADCASTING
SHASTRI BHAWAN, NEW DELHI - 110001

D.O. No. 3/3/6/2014-PMU(DAS)

Dated the 10th October, 2014.

Dear Shri

As you may be aware that Ministry of Information and Broadcasting has embarked on an ambitious programme for complete switchover of Cable Television Network to a Digital Addressable System (DAS) in India.

2. Government of India, to this effect, had issued a Gazette notification mandating digital switchover in four phases as below:

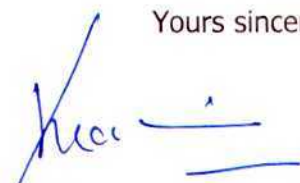
- Phase-I: Four Metros of Delhi, Mumbai, Kolkata and Chennai by 30th June 2012. (Subsequently modified to 31st Oct 2012).
- Phase-II: 38 cities, with a population more than one million, by 31st Mar 2013.
- Phase-III: All other urban areas (Municipal Corporations/ Municipalities) by 30th Sept 2014 (Now modified to 31st Dec 2015).
- Phase-IV: Rest of India by 31st Dec 2014 (Now modified to 31st Dec 2016).

3. Phase I and II have been successfully completed and efforts are on to implement cable TV digitisation in Phase III & IV areas. In this connection it is mentioned that as per Sec 4B of the Cable Television Networks (Regulation) Act 1995, State Governments are required to grant Right of Way (RoW) to the cable operators for laying cables or erecting posts. Extracts of the relevant section of the Cable Act are given as Annexure for ready reference.

4. I request you to issue instructions to field officers to extent the facility of RoW to the Cable Operators. Kindly mark a copy to the Ministry of I&B for our information and record.

5. I would be happy to provide any assistance/clarification that you may need in this regard.

Yours sincerely,


(JITENDRA SHANKAR MATHUR)

Encl: as above.

To
All Chief Secretaries of States/UTs
As per list enclosed.

9/c

**Sec 4B of the Cable Television Networks (Regulation) Amendment Act 2011
regarding Right of Way (RoW)**

- (1) Subject to the provisions of this Act, any cable operator entitled for providing cable services may from time to time lay and establish cables and erect posts under, over, along, across, in or upon any immovable property vested in or under the control or management of a public authority.
- (2) Any public authority under whose control or management any immovable property is vested may, on receipt of a request from a cable operator, permit the cable operator to do all or any of the following acts, namely:—
- a) to place and maintain underground cables or posts; and
 - b) to enter on the property, from time to time, in order to place, examine, repair, alter or remove such cables or posts.
- (3) The facility of right of way under this section for laying underground cables, and erecting posts, shall be available to all cable operators subject to the obligation of reinstatement or restoration of the property or payment of reinstatement or restoration charges in respect thereof at the option of the public authority.
- (4) When the public authority, in public interest considers it necessary and expedient that the underground cable or post placed by any cable operator under the provisions of this section, should be removed or shifted or its position altered, it may require the cable operator to remove it or shift it or alter its position, as the case may be, at its own cost in the time frame indicated by public authority.
- (5) The Central Government may lay down appropriate guidelines to enable the State Governments to put in place an appropriate mechanism for speedy clearance of requests from cable operators for laying cables or erecting posts on any property vested in, or under the control or management of, any public authority and for settlement of disputes, including refusal of permission by the public authority.
- (6) Any permission granted by a public authority under this section may be given subject to such reasonable conditions as that public authority thinks fit to impose as to the payment of any expenses, or time or mode of execution of any work, or as to any other matter connected with or related to any work undertaken by the cable operator in exercise of those rights.
- (7) Nothing in this section shall confer any right upon any cable operator other than that of user for the purpose only of laying underground cable or erecting posts or maintaining them.