

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

No. 2000/LML/24/20

New Delhi, dt. 11.12.01

The General Managers,  
All Zonal Railways,  
Production Units.

The DG, RDSO,  
LKO.

Sub: Way leave facilities for underground laying of cables of cable T.V.-----corrigendum.

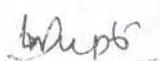
Ref: Board's circular of even number dt. 13.11.01.

The following may be added as item (vi) under para 3 of Board's policy circular referred to above:

"(vi) The length of cable parallel to track should not exceed 500 metres".

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

Hindi version will follow.

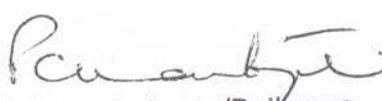
  
(DESH RATAN GUPTA)  
Director(Land & Amenities)  
Railway Board

No. 2000/LML/24/20

New Delhi, dt. 11.12.01

Copy to:

1. The FA & CAO, All Indian Railways, and PUs.
2. The Director (Fin.), RDSO, LKO
3. The Director of Audit, All Indian Railways.

  
For Financial Commissioner/Railways

Copy to: IRICEN/Pune, F(X) II and Tele Branches, Railway Board

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**Sub: Way leave facilities for underground laying of cables of cable T.V.**

The question of evolving uniform policy guidelines for granting way leave facilities for underground/overground crossing of cables of Cable TV on the Zonal Railways and Production Units presently not covered by existing instructions regulating policy regarding way leave facilities/easement rights as circulated vide Board's letter No. 97/LML/24/3 dt. 10.07.98, had been under consideration of this Ministry for quite some time.

2. Accordingly, it has now been decided that the following charges may be levied for granting way leave facilities for underground/overground laying of cables of Cable T.V.:-

- 2.1 Cables crossing Railway tracks within Metrocity limits: Rs. 6000/- per annum, and additional supervision charges @ Rs. 5000 per annum per single track crossing and @ Rs. 3000 per annum for each additional track crossing.
  - 2.2 Cables crossing Railway tracks outside Metrocity limits: Rs. 3000/- per annum, and additional supervision charges as specified in para 2.1 above.
  - 2.3 Cables laid parallel to the track or on Railway land involving no crossing of tracks: Rs. 50 (Fifty) per metre per annum.
3. Other terms and conditions governing the proposal are as given below:-

- i) The length of tracks crossing involved normally should not exceed 50 metres.
- ii) The diameter of pipes for laying underground should not be more than 300 mm.
- iii) Cables within railway colonies meant to serve railwaymen are treated as welfare activity for which no way leave charges need be levied.
- iv) Way leave charges and maintenance charges should be collected for 3(Three) years in advance alongwith one year's charges as security deposit.
- v) Overground laying of cables either across or parallel to the tracks should not be permitted.

4. The facility may be allowed after execution of proper agreements. It may be noted that the land is not licensed, but only permission granted for a limited use which is to be specified in detail in the agreement. To avoid any misunderstanding on this score, the agreement should not use terms like 'Licence' and 'Licence fee', but only 'permission' and 'way leave charges'. The Agreement should also clearly stipulate that the Railway Administration retains full rights to enter upon, pass through or use the land, at any time, without any notice to the party. In the event of the way leave facility being discontinued with, the Railway will not be liable to pay any compensation or reimburse any amount to the party, nor to provide any alternative arrangement for access, etc. In such a case, any installations like under ground pipelines, etc. put up by the party are liable to be removed/shifted by the party at its own cost.

5. No construction (whether permanent, quasi permanent or temporary), is to be permitted on railway land. If any construction comes up subsequently, the same should be immediately removed as soon as noticed, and the way leave facility discontinued with.

6. In view of the large number of cases involved, decision for granting way leave facilities may be taken by the D.R.M (without any further re-delegation) in consultation with Divisional Associate Finance.

7. All way leave proposals should be processed by the Sr.DEN(Co-ord) at the Divisional level. Way leave facilities should not be granted as a matter of routine, but only after consideration of each case on merits based on a site inspection. Special care should be taken to see that the way leave facility does not in any way impinge on the safety and security of railway operations and railway property.

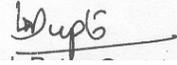
8. In all cases of way leave facility granted, proper agreement should be executed. The agreement should invariably provide for revision of way leave charges from time to time.

9. Chief Engineers on Railways should monitor grant of way leave facilities and levy of requisite charges thereon.

10. These instructions will be effective from the date of issue. Case, if any, decided earlier may continue as per old provisions.

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

12. Hindi version will follow.



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