



11<sup>th</sup> May 2022

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**Telecom Regulatory Authority of India**  
Mahanagar Doorsanchar Bhawan  
Jawahar Lal Nehru Marg, (Old Minto Road)  
New Delhi – 110002

**Subject: Consultation Paper on “Use of Street Furniture for Small Cell and Aerial Fiber Deployment”.**

Dear Sir,

This is in reference to the Consultation Paper dated 23<sup>rd</sup> March 2022 on “**Use of Street Furniture for Small Cell and Aerial Fiber Deployment**”.

In this regard, we, Tata Teleservices Limited (TTSL) and Tata Teleservices (Maharashtra) Limited [together called “**TTL**”] hereby enclose our response to the questions raised in your above-mentioned Consultation Paper. We hope our response will be given due consideration.

Thanking you and assuring you of our best attention always.

**Yours sincerely,**

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Encl: As above

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At the outset, Tata Teleservices Limited and Tata Teleservices (Maharashtra) Limited [together called “TTL’] express our sincere gratitude to Telecom Regulatory Authority of India (TRAI) for releasing the Consultation Paper on “Use of Street Furniture for Small Cell and Aerial Fiber Deployment” and calling for stake holders’ comments.

In this respect we, TTL would like to submit our response to the issues and concerns as mentioned in the Consultation Paper is as follows:

**Q.1: Is there a requirement for any modification in existing RoW Rules as notified by DoT to accommodate small cell deployment on street furniture? If yes, please provide the changes required.?**

**TTL Response:**

Referring to the Consultation Paper released by the Authority, there is no requirement of any modification, RoW policy of 2016 and subsequent amendments in 2021 have sufficient directions which will enable Telecom Operators to execute telecom infra projects. However, the state Govts and local bodies don’t follow their directions. We need mandate/acceptance for compliance of the directions by relevant authorities.

Cabinet approval required to enforce the RoW rules across central departments, States and local bodies. Govt. should form a nodal agency to monitor the compliance of their directives.

Telecom and internet enable economic, human, educational development of the country, state Govt and the local bodies should rise to facilitate this development.

We, TTL also would suggest the following provisions to be incorporated in the RoW rules, such as –

- (a) The applicant should be required to submit to the Authority a self-declared intimation on the online RoW portal the for the usage of street furniture the for the deployment of the small cell along with the written intimation.
- (b) The details of authorized structural engineers shall be made available on the online RoW portal attesting to the structural safety of the street furniture, where the small cells are proposed to be deployed.
- (c) The applicants should also be given access, ROW for fibre, and requisite 24x7 power supply (at industrial or lower than industrial tariffs) to support the telecom infrastructure at street furniture. The applicant may also be permitted and enabled to use grid-connected captive power from renewable energy sources. Such power consumption charges to be decided on an average usage basis, instead of any requirement for individual metering.
- (d) There is a need for identifying and cataloguing the diversity of suitable street furniture across the country and earmarking certain public infrastructure (municipality buildings, post offices,



bus, and railway stations, etc.) to have dedicated spaces that allow service providers to deploy small-cell architecture.

**Q. 2: Have the amendments issued in 2021 to RoW rules 2016 been able to take care of the needs of aerial fiber deployment? If not, what further amendments can be suggested? Please provide exact text with justification.**

**TTL Response:**

Yes, it takes care of the aerial fiber deployment from RoW permission perspective. However, implementation of this policy has not been started by state and local bodies.

Regarding Aerial fiber deployment, RoW rules 2016 have been amended and as per the same, for the establishment of the overhead telegraph line over the immovable property, authority can charge the amount as one-time compensation and it will be maximum one thousand rupees per kilometre of the overground telegraph line established.

Different agencies in different states have different rates/charges and in most cases, excessive rates are observed which is obstructing the deployment of aerial fibre. We suggest a uniform rate should be implemented, same need to be arranged in the RoW rules. There should not be any type of charges like application charges or any other type of charges.

For the deployment of the aerial fibre, list of existing and planned future street furniture should be made available on the respective State’s RoW Portal/ Central Authority.

Further, we suggest that list of existing and planned future street furniture should be made available on the respective State’s RoW Portal/ Central Authority (Defence, NHAI, Ports, DoP, etc.) by the infrastructure owning authorities which can be utilized for the deployment of the aerial fibre.

**Q. 3: What are the suggestions of stakeholders for aligning RoW policies issued by various other Central Government Bodies with existing DoT RoW policy?**

**TTL Response:**

Central Government Bodies like NHAI, Railways, GAIL, IOCL, BP, HP, Metro Rail, Smart City Authority, NGT etc. also to align their ROW policy in line with the policy prescribed by DOT - Ministry of Communications.

TTL also of the view that there should be a Cabinet note from Central Govt. on RoW Guidelines to make it mandatory on States/UTs/Central Agencies to adopt RoW guidelines in place.

Further, the Cabinet must mandate strict compliance of the RoW Rules by the local authorities (including central agencies), thereby preventing local authorities from creating impediments in the deployment / maintenance of telegraph infrastructure.



**Q. 4: Whether it should be mandated that certain public infrastructure (municipality buildings, post offices, bus, and railway stations, etc.) be earmarked to have dedicated spaces that allow service providers to deploy macro/small cells? If yes, what are the possibilities and under what legal framework this can be done? What should be the terms and conditions of use of such infrastructure? Please provide detailed inputs with justifications.?**

**TTL Response:**

Yes, it should be mandated wherein the central government authorities shall permit deployment of small cells on government building and structures free of cost. For deployment of telecom infra the application fee shall be not exceeding Rs. 1,000 per application.

**Q. 5: Can some of the street furniture like traffic lights, metro pillars etc be earmarked for mandatory sharing between controlling administrative authority and Telecom Service/Infrastructure providers for deployment of small cells and aerial Fiber? Does existing legal framework support such mandating? What should be the terms and conditions of such sharing? Please provide details.**

**TTL Response:**

The Consultation Paper issued by the Authority talks about both i.e. Small Cells and aerial Fiber, implementation of which will suffice the need.

One of the aim of any guideline should be to maximise the utility of any infrastructure without impacting the purpose for which it was primarily implemented.

5G Network needs extensive network rollout and use of Street furniture has been identified world over for 5G rollout.

Making sharing of traffic lights and metro pillars for 5G is required to ensure that TSPs are assured of access to street furniture in their rollout plan.

A uniform policy should have a single legal framework for the entire country and need to be applicable for the deployment of all kinds of infrastructure elements.

We further suggest that the In-Building Solutions (IBS) for laying cables or installing telecom infrastructure should be made mandatory inside the housing projects and premises.

**Q. 6: How can infrastructure mutualization and infrastructure collaboration be ensured to avoid exclusive rights of way? What legal provisions can support mandating these? Provide full details.**



**TTL Response:**

Because Controlling Administrative Authority (CAA) is one, so there won't be any scope for exclusive rights.

The legal provisions may be mandated through the Central legislation to be followed by respective local bodies in every state.

**Q. 7: Should there be permission exemption for deploying certain categories of small cells at all places or all categories of small cells at certain places (Like apartments etc.)? What legal framework will support such exemptions?**

**TTL Response:**

Not only small cells other supporting telecom infra like in-building fiber laying, installing termination boxes, putting OLTs, laying ODN should be exempted from formal permissions.

Permission exemption may not be applicable for certain small cells depending upon the permissible radiation power and the locations of health concern.

**Q.8: What should be the criterion/ conditions (like power, height etc.) and administrative procedure for implementing such exemptions? Please provide exact text with detailed justifications.**

**TTL Response:**

Administrative procedure and conditions for providing exemptions shall be based on the criteria of acceptable limits of radiation as well as physical safety of the public to ensure that the installation of Small Cells in Street furniture like power poles will not result in accidents due to improper installation or designs.

The cell sites which are installed at certain height clearances and emit lower than a specified power, a generic declaration and certification of the equipment at a national/regional/local level can be adopted to avoid additional documentation and time-consuming processes.

**Q. 9: For Small Cells that do not fall under the exemption category, should there be a simplified administrative approval process (like bulk approvals etc.) for deployment? If yes, what should be the suggested process? If not, what should be the alternative approach?**

**TTL Response:**

As Small Cells cover only small distances in metres, it is required that rollout of network will have been implemented on multiple cell sites at the same time. Hence there should be a simplified approval process like bulk approval.



Guidelines by CAA should be acceptable to operators.

TTL also suggest that there shall be neither application fee nor compensation for using the street furniture, established by any person or entity over the immovable property of the Local/Government Authority, for installing small cells and OFC required to connect small cells.

On the portal, each applicant should be given a unique ID and password. Applicants shall be required to submit to the Authority a self-declared intimation on the online RoW portal for the usage of street furniture for the deployment of small cells along with the written intimation, he/she shall also be required to submit the details of the street furniture, where installation of the small cells is proposed, and a copy of certification [by a structural engineer authorized by an appropriate authority. The details of authorized structural engineers shall be made available on the online RoW portal] attesting to the structural safety of the street furniture, where the small cells are proposed to be deployed.

**Q. 10 What power related problems are envisaged in deploying small cells on street furniture? Please provide full details.**

**TTL Response:**

Power connections shall be provided on demand to the operators, additional space if needed shall be provided.

Power backup will be required for areas with power shortages. Appropriate design for mounting Solar panel and battery will be required to ensure required power will be available during electric power outages.

**Q. 11: What viable solutions are suggested to address these problems? Please provide full details.**

**TTL Response:**

Power connections shall be provided on demand to the operators, additional space if needed shall be provided for UPS.

State Electricity Regulatory Commissions prescribe different rates for commercial, industrial, utility, billboard, etc. connections.

Telecom sites should be provided electricity connection at industrial or lower than industrial tariffs. SERCs (State Electricity Regulatory Commissions) can be requested to incorporate the same in their tariff orders.



**Q. 12: Is there a need for standardizing the equipment or installation practices for next generation small cell deployment on street furniture? If yes, what are the suggested standards and what should be the institutional mechanisms for defining, and complying to them?**

**TTL Response:**

Manufacturers of small cell equipment must ensure that they conform to relevant technical standards and to any essential requirements in terms of health and safety. OEMs should come up with small and standardized equipment formfactor. Any restriction will impair new development.

The Telecom Engineering Centre (TEC) shall issue guidelines in respect of the structural safety of the street furniture for installation of small cells. This provision is also extend to street furniture installed by third parties on Government land.

**Q. 13: Is there a need for a specific mechanism for collaboration among local bodies /agencies for deployment of small cells and arial fiber using street furniture? If yes, what mechanisms should be put in place for collaboration among various local bodies/agencies involved in the process of permissions with TSPs/IP1s and to deal with other aspects of Small Cell deployment?**

**TTL Response:**

The Consultation Paper issued by the Authority, the control of the street furniture is given to Controlling Administrative Authorities (CAAs). They need to work in unison to make the proposal feasible in a time bound manner. Nodal agency should facilitate the time bound permissions and coordination for execution of the same.

**Q. 14: Kindly suggest an enabling Framework that shall include suggestions about the role of various authorities, rules of coordination among them, compliance rules and responsibilities, approval process, levies of fees/penalties, access rules etc.**

**TTL Response:**

All States and Controlling Administrative Authorities (CAAs) should follow a uniform policy as per the Central guidelines and new No. 2-1/2022-Policy.

Also, National and State Level Broadband Committees have already been proposed by the Government in the National Broadband Mission (NBM), which is working for the deployment of the broadband Infrastructure.

**Q. 15: How can sharing street furniture for small cell deployment be mandated or incentivized? What operational, regulatory, and licensing related issues are expected to be involved in sharing of small cells through various techniques in the Indian context and what are the suggested measures to deal with the same?**



**TTL Response:**

The guidelines largely cover the deployment of small cells, similar to the Tower sharing was established in India, a common sharing commercial model may be explored.

**Q.16: Whether there should be any specific regulatory and legal framework to enable Small Cell and Aerial Cable deployment on i. Bus Shelters ii. Billboards iii. Electric/Smart Poles iv. Traffic lights v. Any other street furniture.**

**TTL Response:**

We, TTL would suggest that there should be a specific regulatory and legal framework to enable Small Cell and Aerial Cable deployment on Street furniture’s like bus shelters, billboards, Electric poles, traffic lights, etc.

As per the Consultation Paper issued by the Authority, the control of the street furniture is given to Controlling Administrative Authorities (CAAs) they need to work in unison to make the proposal feasible in time bound manner.

**Q.17: What should be the commercial arrangements between the TSP’s/Infrastructure Providers and street furniture owners for the same?**

**TTL Response:**

All States and CAAs should follow a uniform policy as per the Central guidelines and new No. 2-1/2022-Policy.

TSP’s/Infrastructure providers should follow the RoW rules issued by the state/central government and accordingly finalize their commercial arrangement.

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