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GOVERNMENT OF RAJASTHAN
Revenue (Gr.-6) Department

No.F.2(231)Rev./LC/2009

Dated: December 07, 2009

CIRCULAR

SUBJECT: Conversion of land for setting up of Towers by
Telecommunication companies.

Dear Madam / Sir,

It has been brought the knowledge of this Department that the Telecommunication Companies operating in the State are facing several difficulties in setting up their Towers on account of various problems relating to conversion of agricultural land for this purpose. It appears that there is some confusion in the minds of various revenue officers regarding conversion of agricultural land for the setting up of Towers by Telecommunication Companies. The matter has been examined and the following directions are hereby issued for compliance by all concerned:

Cases where land has already been used for setting up of Towers by the Telecommunication Companies without conversion

It appears that in several cases khatedars have permitted various Telecommunication Companies to set up their Towers without getting the land converted for this purpose. In all such cases the Collectors should issue notices to the concerned khatedars to immediately apply for regularisation of the land under the provisions of Rule 13 of the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007. A copy of the notice should invariably be endorsed to the concerned Telecommunication Company which has set up the Tower. On receipt of the application for conversion of land from the concerned khatedar, Collectors should take action for conversion of the land. It may be clarified here that the use of land for the setting up of Towers by the Telecommunication Companies falls in the category of commercial purpose and the conversion charges and the penalty for use of land without prior

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conversion are to be charged as provided under the above-mentioned Rules of 2007 for conversion for **commercial purpose**.

In this regard I would like to further invite your attention to the proviso 2 of sub-rule (1) of rule 13 which provides that regularisation of land beyond 100 sq. meters in case of commercial purpose shall be allowed only after the approval of the State Government. The state government is considering amendment of the Provision to permit the Collectors to regularise land up to 250 sq. meters in cases relating to conversion of land for the setting up of Towers by the Communication Companies. However, till such time as the amendment is made, all the cases in which the land involved is more than 100 sq. meters shall to be referred to this Department for permission to regularise the unauthorised conversion of land.

Keeping in view the fact that the Telecommunication Companies are providing a very important service to the people in the State, it has to be ensured that the Telecommunication Companies are not directed to immediately shut down their Towers which have been erected on agricultural land without prior conversion. Proper notice and adequate time should be allowed to all the Telecommunication Companies to get the concerned Khatedars to apply for conversion of the land in accordance with the above mentioned directions.

Fresh cases for conversion of land for setting up of Towers by Telecommunication Companies.

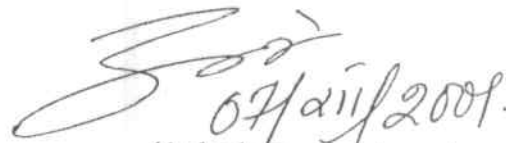
Keeping in view the fact that rapid expansion of services is being undertaken by the various Telecommunication Companies in the State, there would be a large number of fresh applications for conversion of land for the setting up of Towers by Telecommunication Companies. Collectors must ensure that in all such cases the conversion of land is done on expeditiously so that the Telecommunication Companies are able to set up their Towers without undue delay and are able to provide the much-needed services to the people in the rural areas. In this connection your attention is invited to sub-rule (3) of Rule 9 of the above-mentioned rules of 2007 which requires that the order for conversion of land should be issued within a period of 30 days from the date on which the completed application is received. All Collectors should ensure that henceforth all cases for conversion of land for the setting up of Towers by the

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Telecommunication Companies are disposed of within the prescribed period of 30 days.

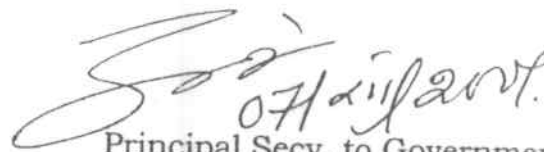
It is suggested that all Collectors may inform the various Telecommunication Companies about the format in which the applications are required to be submitted and the various documents which are required to be submitted along with the application form so that they may be able to ensure that in all such cases the proper applications are submitted along with all the necessary documents and there is no delay on account of the fact that the application is incomplete or not accompanied by the required documents.

Yours faithfully,


07/11/2009.
(Ashok Sampatram)
Principal Secy. to Government

Copy for information and necessary action to the following:

1. All Collectors
2. All Divisional Commissioners
3. Shri Rajesh Kumar Singh, Senior Manager Legal, Vodafone Essar Digilink Ltd, 5th Floor, Gaurav Towers, Malviya Nagar, Jaipur-302017 (Fax 2548811)
4. Shri Atul Kulshresth, Circle Legal Head, Reliance Communications Ltd, D-69, Sardar Patel Marg, C-Scheme, Jaipur-302001 (Fax 3031503)
5. Shri Pradeep Faujdar, Head-Legal & Regulatory, Bharti Infratel Ltd, A-5 Jamna Lal Bajaj Marg, C-Scheme, Jaipur-302001 (Fax 4040131)
6. Shri Vikarm Singh, Manager Legal, Indus Towers Limited, G-Business Park, 3rd Floor, D-34, Subash Marg, C-Scheme, Jaipur 302001 (Fax 4043646)


07/11/2009.
Principal Secy. to Government