

GREATER MOHALI AREA DEVELOPMENT AUTHORITY

To

1. Estate Officer (Plots/Housing), GMADA, S.A.S. Nagar
2. Chief Engineer, GMADA, S.A.S. Nagar
3. Senior Architect, GMADA, S.A.S. Nagar
4. District Town Planner (Regulatory), GMADA, S.A.S. Nagar
5. Divisional Town Planner (Regulatory), GMADA, S.A.S. Nagar
6. Legal Advisor, GMADA, S.A.S. Nagar
7. Chief Accounts Officer, GMADA, S.A.S. Nagar.

No. GMADA (Policy)/2016/656-663

Dated 05-01-2016

Subject: Amendment in Policy for permitting the installation of Communication Tower/ Underground Telephone lines in the area falling within the jurisdiction of Greater Mohali Area Development Authority (GMADA).

With regard to above cited subject matter, with the approval of Hon'ble Chief Minister, Punjab-cum-Chairman, GMADA a policy in respect of grant of permission for installation of Communication Towers in various Sectors/Area falls within the jurisdiction of Greater Mohali Area Development Authority, has been issued vide this Office Letter No.4581-82 dated 27.07.2007. In the 3rd meeting of GMADA Authority held on 03.08.2007 vide Agenda Item No. 3.03 Decision regarding permission to lay down underground telephones wires to various Cybernet Companies like Airtel, Reliance, Hutch, Tata, Indocom, BSNL was taken, Instructions had been issued vide letter No.1324-27 dated 24.08.2007.

Department of Industries and Commerce, Govt. of Punjab had issued guidelines vide Notification No.13546-A dated 05.12.2013 for grant of permission to Licensed Telecom Operators or Registered Infrastructure Providers to lay down underground optical-fiber cable and installation of related infrastructure i.e., Mast, Poles, Installation of Towers etc. These guidelines are applicable on Telecom Licenses and Registered Licensed Telecom Infrastructure provider of the entire area of the State.

Matter regarding applicability of notification No. 13546-A dated 5-12-2013 issued by the Punjab Government, Department of Industry and Commerce for allowing licensed telecom operators or registered infrastructure providers to install underground optical fiber cables etc. and masts, poles, towers etc. along with the Advisory Guidelines issued by the Central Government, Department of Telecommunications to the State Governments, effective from 1-8-2013, from the date of issuance of notification in the area under GMADA, was placed before GMADA's Authority in its 19th meeting held on 09-12-2015 vide agenda item no. 19.09.

After considering the matter, GMADA Authority has approved to implement Notification No. 13546-A dated 5-12-2013 of Department of Industry and Commerce and Advisory Guidelines issued by the Central Government with effect from the date of issuance of Notification/Advisory Guidelines in GMADA.

It is requested that in light of aforesaid decision of the Authority, further action may kindly be taken.

Enclosed/ As above

Sd/-
Administrative Officer(Policy)
For Chief Administrator.

DEPARTMENT OF INDUSTRIES & COMMERCE,
(INFRA SECTION)

The 5th December, 2013

No. INFRA/GUIDELINES/TELECOM INFRASTRUCTURE/ 13546-A

The Governor of Punjab is pleased to notify guidelines governing grant of permission for Right of Way for Laying of Optical Fiber Cables etc. and for installation of related infrastructure like Masts, Poles and Towers etc. to licensed telecom operators and registered infrastructure providers.

These guidelines are aimed at creation of robust telecommunication infrastructure, with adequate bandwidth to promote Information Technology, e-governance, e-commerce, convergence of information, communication and education sectors, which shall improve the state of the economy, enhance the quality of citizens and ensure development of urban and rural areas with equity throughout the state.

Guidelines for Laying of Cables and Installation of Telecom Infrastructure by Licensees

Objectives

1.0 These guidelines are aimed at creation of a robust telecommunication infrastructure with adequate bandwidth to promote Information Technology, e-governance, e-commerce, convergence of information, communication and entertainment sectors, which shall to improve the state of the economy, enhance the quality of life of citizens and ensure development of urban and rural areas with equity throughout the State.

1.1 Applicability / Eligibility.

The guidelines shall be applicable to all telecom licensees and Registered Licensed Telecom Infrastructure Providers within the State.

- i) Any authorized licensee of Department of Telecom / registered Infrastructure Provider is eligible to seek / avail Right of Way facility / permission. However, enforceability of the permission so granted shall be restricted to the extent of provisions / scope of service contained / defined in the license agreement of that licensee and for the purpose for which it is granted, subject to compliance of the EMF radiation norms fixed by Government of India or any competent from time to time.
- ii) Either by content or by intent, the purpose of extending Right of Way facility is not to enhance the scope of license of a licensee and such Right of Way permissions shall be only enabling in nature.
- iii) The concerned Municipal Corporation/ Municipal Committee/ Nagar Panchayat shall be the Competent Local Authority in the areas under its jurisdiction. For other areas the Deptt. of Housing & Urban Development, or the concerned Department (e.g. PWD (B&R) or Public Development Authority shall be the Competent Local Authority..

Guidelines

1.2 These guidelines shall apply to the entire state as follows:

A. Documents to be submitted

- i) For obtaining permissions from the Competent Local Authority, a locality-wise map with detailed description of location and methodology to be used for laying the OFC (i.e. HDD technology or open trenching or both) will be submitted along with application. This will contain relevant details of the land.
- ii) Information regarding height of Mast/Tower/ Pole, the depth and length of trench, dimensions

(length, width and depth) of land required for laying OFC or any other details / specifications required by the relevant Authority will also be provided.

- iii) Applicant licensee shall obtain a No Objection Certificate from various Departments and Authorities, as and when required.
- iv) In case the height of the Mast/Tower is more than 25 metres, the technical design evaluation of Mast/Tower is required from reputed recognised Technical Organisation. No Objection Certificate would also be obtained from the Airport Authority of India, if required.

B. Conditions Precedent.

- i) Licensee will carry out GPR survey along the route where the duct has to be laid for detection of existing utility. The data of utility collected through GPR survey would be unconditionally shared with relevant Authority free of cost.
- ii) Permission granted to the applicant licensee will not be transferable and will be applicable only for the period for which it has been granted.
- iii) If required, the concerned Department / Authority can direct the applicant licensee to change the optical fibre cable in stipulated time period or shift the cable to other area and the applicant licensee shall be bound to do the same for which all the expenses would be borne by the applicant company.
- iv) The State Government shall not be responsible for any damage to Optical Fibre cable and resultant losses, if any, during the course of official duty by any of their employees.
- v) If the applicant licensee wants to utilize the existing electric poles or street light poles, the same can be allowed by the concerned Municipalities/Department subject to the payment of fees / usage charges prescribed from time to time and fulfillment of terms & conditions.
- vi) Responsibility of public safety will lie with licensee during establishment or post establishment of Mast, Pole and laying of cable, during its maintenance or other related activities. The licensee shall take all necessary safety steps & measures while executing the work and licensee will indemnify the local Authority against any accident and damage caused to life or property during execution and post execution.
- vii) Licensee or any 3rd party will not be allowed to display any advertisement on the Mast and Pole without permission of the relevant local Authority.
- viii) The pits / trenches shall be reinstated within 72 hours after completion of the work up-to satisfaction of relevant local Authority, failing which the concerned Local Authority will invoke the bank guarantee and will get the restoration work done.
- ix) In case of any damage to the essential services i.e. water supply, sewerage system and telecommunication lines, electricity supply etc, it will be the responsibility of the licensee to get the services restored from the concerned Local Authority within 24 hours and the cost so incurred would be borne by the applicant licensee.
- x) The area required for laying of Optical Fiber Cable etc., installing a Ground Based Mast and a ground Based Pole, will be allotted subject to the conditions that it will not obstruct the movement of the traffic (vehicular & pedestrian), roads and services.
- xi) Ground Based Mast and Poles installed by the licensee can be used by Local Authority for

Lighting the road and licensee will not be paid any fee for the same. All the related equipments for the purpose will be provide the concerned local Authority and the electricity bill for the same will be borne by the concerned local Authority. However, the licensee will be responsible for the installation and maintenance of street light points on Ground Based Mast and Pole.

For Roof top based Infrastructure

- xii) Express permission from the building owner shall be obtained. The pre-fabricated structure shall be temporary in nature and shall not be an inseparable part of the roof-top.
- xiii) The height of the antenna (i.e., height of building plus height of tower should be as per submitted specifications and should not violate the directions and the limit prescribed by any authority in this regard).
- xiv) The structural safety has to be ensured by each private operator individual who should obtain the certificate from a certified structural engineer. It shall be the responsibility of the operator to ensure that the buildings are structurally safe and sound and are capable of taking the load of antenna and pre fabricated structures.

For Construction of RCC Manhole

- xv) The structure of the manhole will be designed as per the norms of Indian Road Congress (IRC). The top level of the manhole will be as per existing road level and whenever the road level is changed, the agency will be bound to finish it to the road level at its own expenses.
- xvi) The agency will be responsible for maintenance and upkeep of the manholes from time to time and will be responsible for obstruction free flow of traffic and loss of any Government or Private property during and after the construction of manhole.
- xvii) If any manhole comes in the way of approved alignment of any proposed water supply, sewerage or any other service, the agency will be bound to shift or remove the manhole/cable. The agency will make changes in the location / alignment of manhole at its own cost wherever required by the Government/Local Authority and will be bound to obey any directions of the Government / Local Authority issued from time to time.

Installation of telecom tower shall be allowed as per advisory guidelines issued by Department of Telecommunications, Government of India to State Governments from time to time.

2.0 Fee / Charges : Henceforth the fee / charges shall be applicable throughout the State Punjab as under :-

I) The One time charges at the time of Installation / Regularization levied by Local Authorities are as follows:

A) Telecom Towers

a) Municipal Corporations & Class 'A' cities	Rs. 50,000
b) Category 'B' Towns	Rs. 37,500
c) Category 'C' Towns, Nagar Panchyats & Gram Panchyats (whether within Village Abadi or Outside)	Rs. 25,000

In case, the telecom tower is utilized by more than one user, there shall be an additional charge of 50% of the above fee for each such additional user for a particular Tower.

- B) **Masts**
- | | |
|---|------------|
| a) Municipal Corporations & Class 'A' cities | Rs. 16,000 |
| b) Category 'B' Towns | Rs. 12,000 |
| c) Category 'C' Towns, Nagar Panchyats & Gram Panchyats (whether within Village Abadi or Outside) | Rs. 8,000 |
- C) **Poles**
- | | |
|---|-----------|
| a) Municipal Corporations & Class 'A' cities | Rs. 2,000 |
| b) Category 'B' Towns | Rs. 1,500 |
| c) Category 'C' Towns, Nagar Panchyats & Gram Panchyats (whether within Village Abadi or Outside) | Rs. 1,000 |
- ii) The Annual user fee to be paid by each user of a tower/mast or pole etc. is as follows:
- (A) **Telecom Towers:**
- | | |
|---|---------------------|
| a) Municipal Corporations & Class 'A' cities | Rs. 10,000 per user |
| b) Category 'B' Towns | Rs. 7,500 per user |
| c) Category 'C' Towns, Nagar Panchyats & Gram Panchyats (whether within Village Abadi or Outside) | Rs. 5,000 per user |
- (B) **Masts**
- | | |
|---|--------------------|
| a) Municipal Corporations & Class 'A' cities | Rs. 3,200 per user |
| b) Category 'B' Towns | Rs. 2,400 per user |
| c) Category 'C' Towns, Nagar Panchyats & Gram Panchyats (whether within Village Abadi or Outside) | Rs. 1,600 per user |
- (C) **Poles**
- | | |
|---|-----|
| a) Municipal Corporations & Class 'A' cities | |
| b) Category 'B' Towns | |
| c) Category 'C' Towns, Nagar Panchyats & Gram Panchyats (whether within Village Abadi or Outside) | Nil |
- iii) Since, the period of license will be 10 years; each user shall have an option of depositing the Annual user fee in advance for a period of 5 years or 10 years.
- iv) In cases, where the land/site utilized for the infrastructure such as tower, mast, pole, etc. is to be provided by a Govt. Department/Agency/Local Authority etc., the annual lease charges for each such site shall be 6% of the Circle Rate/Collector Rate on a per annum basis. Lease charges for a Pit/Manhole shall be Rs.100/- per annum in addition to a one-time charge of Rs.1,000 per Pit / Manhole.
- v) **Restoration and Rehabilitation**
In cases where telecom cables such as optical fiber cables etc. have to be laid underground by any

method such as duct & conduits, tunneling core etc., the service provider will be expected to conduct the entire operation of laying the cable fiber and restoring the site & all related infrastructure to its original & useable condition at their own cost and within a period of 30 days. In case, the service provider / infrastructure provider chooses not to rehabilitate the site / infrastructure or is unable to do so within a period of 30 days after laying the infrastructure, the concerned Government Department / Agency / Local Authority shall execute the rehabilitation of the site / road by levying the following charges:

- n) For each tunnel Pit / Manhole the rehabilitation charges of Rs.10,000/- shall be levied.
- b) For road cuts, the rehabilitation charges for National Highways, State Highways & Roads in Municipal Limits, Urban Estates, approved Estate Developments in rural areas it shall be Rs.500/- per running meter and for rural link roads, the charges shall be Rs.200/- per running meter.
- vi) All the charges contained in these Guidelines shall be enhanced by 25% after 5 years which shall then remain applicable for the balance 5 years.
- vii) The period of lease shall be 10 years. The lessee shall have the option of paying the entire lease money for 10 years in one go. In this event, the lease money shall be only 10 times the annual lease.
- viii) No charges shall be levied for Right of Way.

3.0 IMPLEMENTATION :

- i) A performance Bank guarantee @ Rs 50/- per route meter with a validity of one year initially (extendable if required till satisfactory completion of work) will be furnished by the concerned licensee as a security against improper filling / unsatisfactory compaction / restoration and damages caused to other underground installations / utility services and interference, interruption, disruption or failure caused thereof to any services. The above charges can be reviewed from time to time keeping in view the increase in the restoration cost.
- ii) If the applicant licensee wants to utilize the existing street light poles, the same will be allowed subject to the terms & conditions of these guidelines and payment of one time fees and annual user charges as per para 2 above.
- iv) The site or surface of road / streets will be restored to its original position by the licensee within 30 days.
- v) In order to avoid repeated digging on the same routes, if possible, the 1st incumbent is free to lay voluntarily extra ducts / conduits with extra capacity so as to take care of future needs. The capacity / excess capacity can be commercialized by the incumbent with suitable mutual agreements with the respective local Authority. However, creation of the excess capacity by the 1st incumbent shall not be a precondition for giving Right of Way clearances. The Local Authority may consider laying ducts / conduits at the time of construction of roads to facilitate laying telephone cables for which suitable charges could be imposed.
- vi) Applicant will give a notice of 15 days with route details prior to trenching for fresh or maintenance/ repair works. A separate Performance Bank Guarantee for maintenance/repair work will be furnished by the licensee.
- vii) Operator shall be responsible for any accident or damage due to his act, omissions or negligence.

4.0 RESTRICTIONS

- i) Permission for Right of Way for Laying of Optical Fiber Cable etc., installation of Ground Base

Mast /Poles/tower will not be granted at location where it will cause disruptions in services and facilities.

- ii) Permission for installation of Ground Base Mast / Poles/tower will not be granted for a location where Mast / Pole/tower can cause obstruction / hindrance to vehicular as well as pedestrian traffic.

5.0 Other Conditions

- i) The permissions will be granted by the concerned local Authority within a period of two weeks subject to the application being complete with route details and fulfillment of all terms & conditions of these guidelines.
- ii) The agreement to be executed between the licensee and concerned local Authority regarding compliance of all the terms and conditions is at Form-A.
- iii) In case of any dispute between the licensee and the local Authority, the Administrative Secretary of the concerned Department will be the final Authority for settlement of such dispute and such decision will be binding on both the parties.
- iv) The permission shall be valid for such time as the operator holds a valid license for such operations or for 10 years which ever is shorter.

Sd/-

KARAN A SINGH, IAS

Principal Secretary to Govt. Punjab

Department of Industries & Commerce

Chandigarh

The 5th December, 2013

ਸਥਾਨਕ ਸਰਕਾਰ ਵਿਭਾਗ

(ਸਥਾਨਕ ਸਰਕਾਰ-3 ਸ਼ਾਖਾ)

ਅਧਿਸੂਚਨਾ

ਮਿਤੀ 5 ਦਸੰਬਰ, 2013

10/20/2013-3ਸਸ3/132994/1.-ਜਿਵੇਂ ਕਿ ਜ਼ਿਲ੍ਹਾ ਬਠਿੰਡਾ ਦੀ ਗਰਾਮ ਪੰਚਾਇਤ ਲਹਿਰਾ ਮੁਹੱਬਤ ਦੇ ਖੇਤਰ ਨੂੰ ਨਗਰ ਪੰਚਾਇਤ ਘੋਸ਼ਿਤ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਪੰਜਾਬ ਮਿਊਂਸਪਲ ਐਕਟ 1911 ਦੀ ਧਾਰਾ 4(1) ਅਧੀਨ ਮੁੱਢਲਾ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ: 10/20/2013-3ਸਸ3/49110/1, ਮਿਤੀ 7-5-2013 ਜਾਰੀ ਕਰਦੇ ਹੋਏ 30 ਦਿਨਾਂ ਦੇ ਅੰਦਰ-ਅੰਦਰ ਇਤਰਾਜ਼ ਮੰਗੇ ਗਏ ਸਨ;

ਅਤੇ ਜਿਵੇਂ ਕਿ ਰੀਜਨਲ ਡਿਪਟੀ ਡਾਇਰੈਕਟਰ, ਸਥਾਨਕ ਸਰਕਾਰ ਵਿਭਾਗ, ਬਠਿੰਡਾ ਦੇ ਪੱਤਰ ਨੰ: 2ਡਡਸਸ-13/4119, ਮਿਤੀ 21-6-2013 ਅਨੁਸਾਰ ਮਿਥੇ ਸਮੇਂ ਅੰਦਰ ਕੋਈ ਇਤਰਾਜ਼ ਪ੍ਰਾਪਤ ਨਹੀਂ ਹੋਇਆ;

ਇਸ ਲਈ ਪੰਜਾਬ ਦੇ ਰਾਜਪਾਲ ਪ੍ਰਸੰਨਤਾ ਪੂਰਵਕ ਪੰਜਾਬ ਮਿਊਂਸਪਲ ਐਕਟ 1911 ਦੀ ਧਾਰਾ 4(1) ਅਧੀਨ ਨਗਰ ਪੰਚਾਇਤ ਲਹਿਰਾ ਮੁਹੱਬਤ (ਜ਼ਿਲ੍ਹਾ ਬਠਿੰਡਾ) ਦੀ ਸਥਾਪਨਾ ਕਰਨ ਦੀ ਘੋਸ਼ਣਾ ਕਰਦੇ ਹਨ, ਜਿਸ ਦਾ ਏਰੀਆ "ਸ਼ਡਿਊਲ ਆਫ ਬਾਊਂਡਰੀ" ਮੁਤਾਬਕ ਹੋਵੇਗਾ।

"ਸ਼ਡਿਊਲ ਆਫ ਬਾਊਂਡਰੀ"

ਉੱਤਰ: ਬਿੰਦੂ ਓ ਜੋ ਕਿ ਪਿੰਡ ਲਹਿਰਾ ਮੁਹੱਬਤ ਦੀ ਮੁਸਤੀਲ ਨੰ:121 ਦੇ ਨੰਬਰ ਖਸਰਾ 1 ਦੇ ਪੱਛਮੀ ਉੱਤਰੀ ਕੋਨੇ ਤੇ ਬਣਦਾ ਹੈ।
ਬਿੰਦੂ ਓ ਤੋਂ ਮੁਸਤੀਲ ਨੰ:121, 122, 123, 124, 125 ਦੀ ਉੱਤਰੀ ਬਾਹੀ ਦੇ ਨਾਲ ਪੂਰਬ ਵੱਲ ਚਲਦੇ ਹੋਏ ਬਿੰਦੂ ਅ ਤੱਕ। ਬਿੰਦੂ ਅ ਮੁਸਤੀਲ ਨੰ:125 ਦੇ ਨੰਬਰ ਖਸਰਾ 5 ਦੇ ਉੱਤਰੀ ਪੂਰਵੀ ਕੋਨੇ ਤੇ ਬਣਦਾ ਹੈ।

FORM-A

Draft for application for erection of Towers, Antenna

No.

Dated

To

The Competent Local Authority.

Subject:- Application for regularization/erection of the Tower/Mast/Pole.

Sir,

I/we have erected/intend to erect _____ number of Tower/Mast/Pole along with cabin on property No. / _____ rooftop of the building No. _____ located at _____. I/we/am/are enclosing the following documents:

1. Consent letter of Building/Land owner,
- 2.a) Four sets of Ferro Prints and two prints on tracing cloth/tracing film clearly showing the location of each Tower/Mast/Pole.
b) Structure Safety Certificate issued by.
3. That I/we are enclosing a demand draft/Call Deposit receipt no. amounting to Rs. _____ in favour of _____ drawn on _____ Bank as one time permission charges per tower/mast/pole and an additional amount of Rs. _____ as Annual License Fee at Rs. _____ per tower/mast/pole for the year _____ to _____.
4. That I/we are enclosing an Indemnity Bond on a Stamp Paper of Rs.100/- duly attested by competent authority indemnifying competent local authority to the effect:-
A) That I/we shall be solely responsible for any damage to the building and for public safety from the tower/mast/pole erected on property no. _____ situated at _____.
B) That I/we fully understand that in case of buildings, which were/are unauthorized or which may be so declared at a later point of time, permission for installation of Towers shall be granted on fulfillment of all the above conditions but shall not imply any change whatsoever on the status of the unauthorized building and shall be without prejudice to the right of competent local authority (CLA) to demolish the said building through the due process of law. In undertaking such demolition, CLA will not be under any obligation to send prior intimation to the owner of the tower, nor it will be liable for loss of the tower as a consequence of demolition of unauthorized building.
5. That I/we undertake that I/we take special precautions for fire safety and lightening.
6. That I/we are enclosing a self-certified copy of the agreement concluded between me/us and the owner of the building/land.

7. That I/ we shall furnish an NOC from PPCB for the generator sets to be installed at the Tower site to cater to the power requirements of the antenna etc.

You are requested to regularize/ to grant permission for erection of Tower/Mast/Pole.

Encl: Indemnity Bond

Applicant

FORM-B

Indemnity Bond for Erection of Tower/Mast/Pole and Allied Buildings.

The indemnity bond is executed by Sh./M/s _____ r/o _____ (hereinafter called the owner) in favour of _____ (hereinafter called the Local Authority).

Whereas the owner has submitted to the Local Authority plans for regularization/sanction of erection of tower/mast/pole and allied buildings over Plot No. _____ under the provisions of relevant laws, bye-laws and regularizations and or the bye-laws made their under:-

And whereas the local authority has agreed to regularize/sanction the aforesaid constructions subject to the condition that the owner shall indemnify the local authority in the event of any loss or damage caused to the adjoining buildings/properties on account of the construction of said erection of tower and buildings either at the time of digging of the foundation or in the course of its construction or even there after and also against any claim of any concern thereto.

And whereas the owner has agreed to execute an indemnity bond to the above effect and also to abide by the terms imposed by local authority to the grant of sanction of erection of tower/mast/pole and allied buildings.

HOW THIS DEED WITNESSES

- 1 That in consideration of the sanction of the plans of the owner for regularization/construction of the erection of tower/mast/pole and allied buildings, the owner undertake that he/they shall at all time keep the local authority harmless and free from any liability, loss or damages following from any injury or damage caused to either adjoining properties or to any person as a consequence of construction of tower/mast/pole and allied building at the time digging of its foundation or during the course of its construction or at any time thereafter.
- 2 The owner agrees and undertake that in the event of any claim made by any person or persons against the local authority either in respect of the sanction granted by the local authority to the owner for erection tower/mast/pole and buildings or the manner of construction of erection of tower/mast/pole and building by the owner or the consequences flowing from the said sanction, the owner shall be responsible and liable and not the local authority.
- 3 The owner agrees and undertakes to indemnify the local authority fully in respect of any amount which the local authority may be required to pay to any persons either by way of compensation of damages or any other account as a result of any claim or suit or any other proceedings concerning the sanctioning of the constructions of the erection of

tower/mast/pole and building or the making thereof and also in respect of costs and expenses which the local authority may incur on defending any action.

- 4 Without prejudice to the above undertaking the owner hereby binds itself to pay to the local authority to the full extent any amount which the local authority may be required to pay person in connection with, relating to or concerning the sanction of the erection of tower/mast/pole and allied building or the making thereof.
- 5 That I/we fully understand that in case of buildings, which were/are unauthorized or which may be so declared at a later point of time, permission for installation of towers shall be granted on fulfillment of all the above conditions but shall not imply any change whatsoever on the status of the unauthorized building and shall be without prejudice to the right of local authority to demolish the said building through the due process of law. In undertaking such demolition, local authority will not be under any obligation to send prior intimation to the owner of the tower/mast/pole, nor it will be liable for loss of the tower/mast/pole/allied structure as a consequence of demolition of the unauthorized building.
- 6 The owner further agrees and undertakes that this bond shall remain in full force and effect till the owner faithfully observes and performs the undertaking herein before contained.

In witness whereof the owner above named has signed this bond on this _____ day of _____ at _____

INDEMNIFIER

DEPARTMENT of TELECOMMUNICATIONS
ADVISORY GUIDELINES FOR STATE GOVERNMENTS FOR
ISSUE OF CLEARANCE FOR INSTALLATION OF MOBILE TOWERS
 (Effective from 01.08.2013)

1. The Indian telecom sector has witnessed phenomenal growth and mobile telephony in particular has revolutionized in the country over the past decade. Providing telephone coverage across the country has been one of DoT's top priority areas. Out of 921 million connections, 891 million are wireless, as on May 2013. The popularity of cell phone and wireless communication devices has resulted in a proliferation of cell towers across the country.
2. Fixation of standards for exposure limits of radio frequency field emissions from mobile base stations, monitoring their compliance, all radiation related technical issues, issues of Access Service Licence / Infrastructure Provider registration and SACFA clearance for frequency allocation at any location are dealt with by DoT.
3. India has adopted strict limit for radiation from Base Transceiver Station (BTS), as below, which is 1/10th of the International norms (ICNIRP):

Frequency in MHz	Power density limit
900	0.45 watt/m ²
1800	0.9 watt/m ²
2100 and above	1 watt/m ²

4. Broad guidelines for issue of clearance for installation of mobile phone towers were issued on 23.08.2012 and later modified on 26.03.2013. Subsequently, on the basis of feedback received after deliberations made with the state government officials and various stake holders on 16.04.2013 and holding further consultations thereafter, the guidelines have been finalized for the state governments. These are detailed in A and B below. ***These guidelines are issued in supersession of all earlier guidelines on the subject.***

A. Documents to be submitted by Telecom Service Providers/ Infrastructure Providers for obtaining clearance from local bodies / state governments for installation of mobile towers:

- I. Copy of relevant license / Infrastructure Provider Registration Certificate from Department of Telecommunications.
- II. Data Sheet
 - a) Name of Service/Infrastructure Provider
 - b) Location
 - c) Tower Reference:
 - i) Height, ii) Weight III) Ground/Roof Top iv) Pole/wall mounted v) Number of antennae
- III. Copy of SACFA clearance / copy of SACFA application for the said location submitted to WPC wing of DoT with registration number as

WPC acknowledgement along with undertaking that in case of any objection/ rejection, TSPs/ IPs will take corrective actions / remove the tower.

- IV. Copy of structural stability certificate for ground based tower. In case of roof top BTS towers, structural stability certificate for the building and tower based on written approvals of any authorized Structural Engineer of state/local bodies/Central Building Research Institute (CBRI), Roorkee/ IIT/NIT or any other agency authorized by local body.
- V. Copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the Diesel Generator (DG) Sets.
- VI. Copy of clearance from Fire Safety Department only in case for high rise buildings where Fire Clearance is mandatory.
- VII. For forest protected areas, the copy of clearance from State Environment & Forest Department, if applicable.
- VIII. The local bodies may also seek submission of the copy of No Objection Certificate (NOC) from Building Owner / entities having roof top rights or roof top tenants in case of roof based tower/ land owner in case of ground based tower, as the case may be. As per their rules in force, State Governments, at their discretion, may seek fresh NOC at the time of renewal of site (tenancy) contract for mobile tower.
- IX. Acknowledgement receipt issued by TERM Cells (DoT) of the self-certificate submitted by Telecom Service Provider/ Infrastructure Provider in respect of mobile tower/ BTS (ground based/ roof top/ Pole/ wall mounted) in the format as prescribed by TEC, DoT, establishing / certifying that all General Public areas around the tower will be within safe EMR exposure limit as per peak traffic measurement after the antennae starts radiating.

B. Action by State government/Local body

- I. Nominal one time Administrative Fee as may be decided by the State Government to recover its costs on the issue of permission for installation of Tower.
- II. Single Window Clearance may be provided in a time bound manner to telecom service provider / infrastructure provider by the local body / State Government. This will ensure issuance of faster clearances.
- III. Telecom towers have been given infrastructure status by Government of India vide gazette notification no 81 dated 28.03.2012. All benefits, as applicable to infrastructure industry, should be extended. **Electricity connection may be provided to BTS site on priority.**
- IV. Telecom installations are lifeline installations and a critical infrastructure in mobile communication. In order to avoid disruption in mobile communication, an essential service, sealing of BTS

towers / disconnection of electricity may not be resorted to without the consent of the respective TERM Cell of DoT in respect of the EMF related Issues.

- V. State Governments along with DoT may organise public awareness programmes involving civil society members.
- VI. In order to effectively address **Public Grievances** relating to installation of towers and issues related to telecom infrastructure, State Governments may setup:
 - State Level Telecom Committee (STC) consisting of officers from TERM Cells, State Administration, representative(s) of concerned Telecom Service Provider(s) and eminent public persons etc.
 - District Level Telecom Committee (DTC) consisting of officers from District Administration, representative(s) of concerned Telecom Service Provider(s) and eminent public persons etc.

C. Action by DoT/ TERM Cells

- I. Public awareness programme (Through DoT web portal / Govt. Publication).
- II. a) For all the existing as well as new BTSs / Towers, Telecom Service Providers are required to submit self-certificates periodically in the format as prescribed by TEC, DoT, in order to ensure that normally all general public areas around the site are within the safe EMR exposure limits. Any violation noticed attracts heavy penalties on Telecom Service Provider(s) and may also lead to shut down of BTS in case the violation persists.
b) The TERM Cells have been given clear instructions with regard to the technical audit of BTS, including for radiation from towers within safe limits. These include roof top/ ground based/ pole mounted/ wall mounted towers. They will also verify antenna orientation, safe distance from the tower (exclusion zone) etc. Installation and augmentation of BTS and antenna is a continuous process. DoT is organizing frequent workshops for these officers to ensure observance of the latest guidelines issued by DoT on the subject of EMF radiation and public safety. Additional Guidelines for TERM Cells as follows:

**Additional Guidelines to TERM Cells for auditing BTS
For EMF radiation**

(Effective from 01.08.2013)

1. Instructions/guidelines have been issued to the TERM Cells for auditing the RF radiations from BTS for compliance to the prescribed norms. Following are additional guidelines to TERM Cells in the matter.
2. With a view to strengthen monitoring and compliance of safety aspects / provisions in regard to radio frequency emissions from mobile towers, TERM Cells may take the following also into account while conducting their audits for the purpose of ensuring that all general public areas are within safe EMF exposure limits as prescribed by DoT.
 - In case of both ground based towers & roof top towers, there shall be no building right in front of the antenna(e), of equivalent height taking into account the tilt of the lowest antenna on tower as per details in the table below. Further, the antennae at the same height only are to be counted, as the beam width of the mobile antennae, in the vertical direction, is very narrow.

Number of antenna(e) pointed in the same direction	Building/Structure safe distance from the antenna(e) at the same height (In meters)
1	20
2	35
4	45
6	55

- The distance figures in the above table are based on empirical estimation considering that all the antennae are emitting at their maximum RF power of 20 Watts and exactly in the same direction with same height (a worst case scenario). In practice, the values of safe distance of buildings will depend upon actual deployment scenarios and mostly, may be far less than depicted above.

3. Wall Mounted/Pole mounted Antenna:

- Wherever the antennae are mounted on the wall of building or pole on/along the road, their height should be at least 5 meters above ground level /road level. However, such installations will have to comply with the radiation limits.
- As far as safe distance of buildings from antenna is concerned, guidelines as given above will apply.
