

शहरी विकास विभाग
राष्ट्रीय राजधानी क्षेत्र: दिल्ली सरकार
9वां तल, सी-विंग, दिल्ली सचिवालय, इन्द्रप्रस्थ एस्टेट, नई दिल्ली

विधायक का नाम : श्री जरनैल सिंह

दिनांक : 23.08.2019

विधान सभा अतारंकित प्रश्न संख्या : 129

क्या शहरी विकास मंत्री यह बताने की कृपा करेंगे कि :-

क्र. सं.	प्रश्न	उत्तर
क	दिल्ली में मोबाईल फोन टावर लगाने की क्या निर्धारित प्रक्रिया है;	<p>दक्षिणी दिल्ली नगर निगम ने सूचित किया है कि मोबाईल फोन टावर लगाने के लिए, सेल टावर ऑपरेटर को सेल टावर पॉलिसी/एग्रीमेंट दिनांक 30.01.2017 के तहत आवेदन करना होता है,</p> <p>उत्तरी दिल्ली नगर निगम ने सूचित किया है कि माननीय उच्च न्यायालय दिल्ली के आदेश दिनांक 28.08.2017 के अनुसार दिल्ली में मोबाईल फोन टावर लगाने की प्रक्रिया Settlement/Agreement dated 30.01.2017 के अनुसार निर्धारित की गई है।</p> <p>पूर्वी दिल्ली नगर निगम ने सूचित किया है किसेलुलर ऑपरेटर एशोसिएशन ऑफ इंडिया एवं तीनों नगर निगमों के बीच 30.01.2017 को एक सेटलमेन्ट/एग्रीमेन्ट हुआ था जिसे उच्च न्यायालय ने भी मंजूर कर लिया था। उसी के अनुसार मोबाईल टावरों को परमीशन दी जा रही है।</p> <p>दिल्ली शहरी आश्रय सुधार बोर्ड ने सूचित किया है कि समय-समय पर राजस्व प्राप्ति के लिए डूसिब अपनी सम्पत्तियों को पट्टे के आधार पर मोबाइल कम्पनियों को मोबाईल टावर लगाने हेतु लिखित नियम एवं शर्तों के आधार पर अनुमति देती है।</p> <p>दिल्ली छावनी परिषद ने सूचित किया है कि रक्षा मंत्रालय भारत सरकार ने अपने पत्र संख्या एफ. 11026/1/2005/डी (भूमि) दिनांक 26.02.2019 के अर्न्तगत सैन्य स्टेशनों/छावनियों में संचार नेटवर्क का विस्तार करने के लिए साझा संचार टावर और अन्य दूरसंचार अवसंरचना पर एक संशोधित नीति जारी की है। कैटोनमेंट क्षेत्र में मोबाइल/संचार टावर स्थापित करने के लिए इस नीति को अपनाना जरूरी है।</p> <p>नई दिल्ली नगरपालिका परिषद ने सूचित किया है कि एन.डी.एम.सी. में ग्राउंड बेस्ड टावर तथा रूफ टॉप टावर लगाने की प्रक्रिया परिषद द्वारा पारित प्रस्ताव क्रमांक 28 (v-01) दिनांक 15.12.2015 तथा 27 (v-02) दिनांक 25.07.2016 में दिए गए नियमों के तहत की गई हैं।</p> <p>सेलुलर ऑन व्हील (COWs) लगाने की प्रक्रिया परिषद द्वारा पारित प्रस्ताव क्रमांक 17 (H-31) दिनांक 26.12.2018 के तहत ही प्रदान की गयी है।</p>

ख	मोबाइल टावर लगाने के लिए किस-किस विभाग से एनओसी लेने की जरूरत पड़ती है;	<p><u>दक्षिणी दिल्ली नगर निगम</u> ने सूचित किया है कि सेल टॉवर पॉलिसी/एग्रीमेंट के भाग 13/16 के अनुसार कोओपरेटिव ग्रुप हाउसिंग सोसाइटी के लिए मेनेजमेंट कमेटी/प्रशासक। डी.डी.ए. ग्रुप हाउसिंग के लिए रेजीडेंट वेलफेयर एसोसिएशन से तथा प्लॉटेड डेवलेपमेंट में सभी सम्पत्ति मालिकों तथा छत के मालिक से तथा जहां पर भी आवश्यकता है दिल्ली अरबन आर्ट्स कमीशन अथवा दिल्ली अग्नि शमन विभाग से सेल टॉवर आपरेटर को No Objection Certificate (NOC) जमा करना होता है।</p> <p><u>उत्तरी दिल्ली नगर निगम</u> ने सूचित किया है कि Settlement/Agreement dated 30.01.2017 में एनओसी के सम्बन्ध में दर्शाया गया है।</p> <p><u>पूर्वी दिल्ली नगर निगम</u></p> <p>उपरोक्त कार्यालय आदेश के अनुसार।</p> <p><u>दिल्ली शहरी आश्रय सुधार बोर्ड</u> ने सूचित किया है कि ये मोबाइल कम्पनियों की जिम्मेदारी है कि वे संबंधित विभागों से सभी तरह की अनुमति प्राप्त करें। इसमें डूसिब की कोई जिम्मेदारी नहीं है।</p> <p><u>दिल्ली छावनी परिषद</u> ने सूचित किया है कि पैरा 1 में उल्लेखित संशोधित नीति के अनुसार सीविल एंजियरिंग और ऐयर फोर्स अथोरिटी प्राधिकरण से अनापत्ति प्रमाण पत्र उनके आसपास के क्षेत्र में सेलुलर टॉवरों की स्थापना के लिए अनिवार्य हैं।</p> <p><u>नई दिल्ली नगरपालिका परिषद</u> ने सूचित किया है कि मोबाइल टॉवर स्थापना के लिए मूलतः निम्न इन सभी विभाग से एन.ओ.सी. की आवश्यकता पड़ती है:-</p> <ol style="list-style-type: none"> 1. संचार मंत्रालय, 2. नागरिक उड्डयन मंत्रालय, 3. वायु सेना प्राधिकरण, 4. SACFA & 5. DUAC
ग	दिल्ली में कुल कितने मोबाइल टावर लगे हुए हैं;	<p><u>दक्षिणी दिल्ली नगर निगम</u> ने सूचित किया है कि दक्षिणी दिल्ली नगर निगम के अन्तर्गत कुल 4377 मोबाइल टावर लगे हुए हैं।</p> <p><u>उत्तरी दिल्ली नगर निगम</u> ने सूचित किया है कि उत्तरी दिल्ली नगर निगम के अधीन विभिन्न क्षेत्रों में कुल 3197 मोबाइल टॉवर लगे हैं।</p> <p><u>पूर्वी दिल्ली नगर निगम</u> ने सूचित किया है कि पूर्वी दिल्ली में कुल 1942 टॉवर लगे हुए हैं।</p> <p><u>दिल्ली शहरी आश्रय सुधार बोर्ड</u> ने सूचित किया है कि डूसिब से संबंधित नहीं है। पट्टे पर दी गई डूसिब की सम्पत्तियों की 14 साईट पर मोबाइल टॉवर लगे हुए हैं।</p> <p><u>दिल्ली छावनी परिषद</u> ने सूचित किया है कि मासिक लाईसेंस शुल्क/ स्पेश रेंट के आधार पर प्राधिकृत एजेंसी द्वारा दिल्ली कैंटोनमेन्ट क्षेत्र में 53 संचार टॉवर (सेल ऑन व्हील्स) स्थापित/स्थापित किए गए हैं।</p> <p><u>नई दिल्ली नगरपालिका परिषद</u> ने सूचित किया है कि स्पेशल प्रोजेक्ट डिपार्टमेंट में उपलब्ध रिकार्ड के अनुसार एन.डी.एम.सी. ने 179 अधिकृत मोबाइल टॉवर लगे हुए हैं।</p>
घ	क्या इन सभी टावर्स को लगाने के लिए बताई गई निर्धारित प्रक्रिया का पालन किया गया है;	<p><u>दक्षिणी दिल्ली नगर निगम</u> ने सूचित किया है कि दक्षिणी दिल्ली नगर निगम के अन्तर्गत 2207 मोबाइल टॉवर्स परमीशन के तहत लगाये गए हैं। 1963 सेल टॉवर्स के लिए सभी क्षेत्रीय कार्यालयों में सेल टॉवर एग्रीमेंट के तहत एप्लीकेशनस प्राप्त हुई है जिसमें से 1146 को अनुमति दे दी गई है। 496 एप्लीकेशनस को अस्वीकृत कर दी गई</p>

		<p>हैं तथा शेष एप्लीकेशनस पर कार्यवाही की जा रही है। <u>उत्तरी दिल्ली नगर निगम</u> ने सूचित किया है कि सभी क्षेत्रीय कार्यालय से प्राप्त सूचना के अनुसार 1996 मोबाइल टार्वस परमीशन के तहत लगाये गये हैं। 1692 सेल टार्वस के लिए सभी क्षेत्रीय कार्यालयों में सेल टावर एग्रीमेंट के तहत एप्लीकेशनस प्राप्त हुई है जिसमें से 888 को अनुमति दे दी गई है। 138 एप्लीकेशनस को अस्वीकृत कर दी गई है तथा शेष एप्लीकेशनस पर कार्यवाही की जा रही है। <u>पूर्वी दिल्ली नगर निगम</u> ने सूचित किया है कि उपरोक्त कुल 1942 टॉवरों में से 1397 टॉवर को परमीशन दी गई है एवं 545 टॉवर अवैध है। 545 अवैध टॉवरों में से 337 टॉवरों को सील कर दिया गया है। अन्य पर कार्यवाही की जा रही है। <u>दिल्ली छावनी परिषद</u> जी हों। <u>नई दिल्ली नगरपालिका परिषद</u> ने सूचित किया है कि एन.डी.एम.सी. क्षेत्र में मोबाइल टॉवर के लगते समय सभी प्रक्रियाओं का पालन किया जाता है।</p>
ड	क्या यह सत्य है कि पिछले वर्ष दिल्ली नगर निगम व सेलुलर आपरेटर एशोसिएशन ऑफ इण्डिया के बीच में दिल्ली मेडिएशन सेन्टर का तीस हजारी कोर्ट में कोई समझौता हुआ है.	जी हों,
च	यदि हाँ तो उसकी जानकारी दी जाए, और	दिल्ली नगर निगम व सेलुलर ऑपरेटर एशोसिएशन ऑफ इण्डिया के बीच में दिल्ली मेडिएशन सेन्टर का तीस हजारी कोर्ट दिनांक 30.01.2017 को समझौता हुआ है, कॉपी संलग्न है।
छ	मोबाइल टावर की रेडिएशन से होने वाले नुकसान की भी जानकारी दी जाए?	मोबाइल टावर की रेडिएशन से होने वाले नुकसान की जानकारी के संबंध में Centre for Occupational and Environmental Health ने संचार विभाग, भारत सरकार द्वारा जारी पत्र की प्रति संलग्न की गई है।



Jy. Secretary (U.D./P.C.)
 Govt. of N.C.T. of Delhi
 Delhi Secretariat
 I.P. Estate, New Delhi-02

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30.01.2017

Settlement/Agreement

- Present:
- Sh. Sanjay Yadav, Executive Engineer (Building HQ), SDMC.
 - Sh. Udit Ratna, Chief Town Planner, SDMC, and
 - Sh. Surinder Kumar, DLO, SDMC.

 - Sh. S.K. Mishra, Executive Engineer (Building HQ), NDMC.
 - Sh. A.D. Biswas, Chief Town Planner, NDMC

 - Sh. Sanjay Kumar, Executive Engineer (Building HQ), EDMC.
 - Sh. Rakesh Ailawadi, Chief Engineer (Building HQ), EDMC.
 - Sh. Sunil Kumar Mehra, Chief Town Planner, EDMC.

 - Sh. Manjul Bajpai, Advocate for Respondent no. 1, Cellular Operators Association of India

 - None for Respondent no. 2, AUSPI

 - None for Respondent no. 3, T.R. Dua and Respondent no. 4, S.K. Khanna

 - Khursheed Ahmed Bhatt, Regional Network Head for respondent no. 5, Aircel Ltd.

 - Sameer Chugh, Director (Legal and Regulatory) for respondent no. 6, Airtel.

 - None for respondent no. 7, MTNL

 - Sh. Sanjay Kumar Sinha, Sr. Manager (Legal) for respondent no. 9, Reliance Communication Ltd alongwith Sh. Gaurav Jain, Advocate.

 - Sh. Anuj Bhatia, AGM (Corporate Affairs) for respondent no. 11, Vodafone Mobile Services Ltd.

 - Sh. Vikram Singh, Sr. Manager (Legal) for respondent no. 12, Indus Tower Ltd.

 - None for respondent no. 13, Department of Telecommunication.

 - Sh. Pankaj Kumar alongwith Sh. Satik Mahapatra, Advocate for Idea Cellular Ltd. (respondent in LPA No. 573/11)

 - Sh. Naresh Arora, V.P (Legal) and Sh. Raj Shekhar Rai, Advocate for ATC Telecom Infrastructure Private Ltd.

 - Sh. Parveen Sharma, Vice President, Corporate Affairs, Sh. Vineet Goel and Ms. Nayan Tara for Reliance Jio Infocom Ltd.

 - Ms. Srishty Chadha, Sr. Executive (Legal) for GTL Infrastructure Ltd.

 - Sh. Sanjeev Kumar Tirthani, DGM (Legal) for Tower Vision India Pvt. Ltd.

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Sessions were held with the parties to facilitate negotiations.

Brief facts of the present cases as disclosed by the parties are that respondents in LPA No. 572/11 filed writ petitions bearing no. WP (C) 3267/2010, WP (C) 3423/2010, WP (C) 439/2010, WP (C) 13863/2009, WP (C) 14178/2009, WP (C) 14199/2009, WP (C) 2382/2010 and WP (C) 4084/2010 impugning Office Order dated 20.11.2003 Circular dated 7.02.2008 and Office Order dated 8.04.2010 issued by the MCD (Now represented by SDMC, EDMC and NDMC) levying fee and stipulating other conditions for grant of permission for installation of temporary structures/towers on rooftops for providing Cellular Basic Mobile Phone services. The said Writ Petitions were decided vide order dated 29.04.2011 passed by Hon'ble Mr. Justice Rajiv Sahai Endlaw. Feeling aggrieved, MCD (Now represented by SDMC, EDMC and NDMC) filed the LPA No. 572/11, against Cellular Operators in the LPAs as detailed hereinabove. Vide order dated 22.07.2016 passed in LPA No. 572/2011, the dispute between the concerned parties was referred for mediation.

The concerned parties after negotiations have agreed to settle their disputes as per the terms and conditions as contained in Annexure 'A'.

Sh. Surendra Kumar, Deputy Law Officer, SDMC informed that terms and conditions mentioned in Annexure 'A' are as per resolution of the Standing Committee and decision of Corporation.


It is clarified that this settlement shall be applicable within the jurisdiction of MCD (Now represented by SDMC, EDMC and NDMC) and shall not be taken as a precedent for other States in similar dispute.


It is also clarified that this settlement is arrived between the concerned parties without prejudice to their submissions made or to be made before the Court.

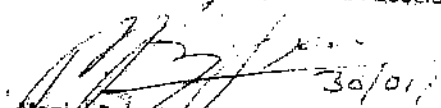
The present Settlement Agreement is subject to all applicable laws, rules, regulations etc., including the Indian Telegraph Right of Way Rules, 2016 dated 15.11.2016, and these Rules shall be placed before the Hon'ble High Court of Delhi by the parties for its consideration.

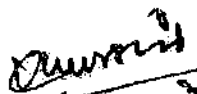
The companies namely ATC Telecom Tower Co. and ATC Telecom Infrastructure Private Limited, GTL Infrastructure Ltd. and Tower Vision India Pvt. Ltd. have settled keeping in mind the status and importance attached to the National Capital Territory (NCT) of Delhi as the Capital of India and more importantly, in view of the explicit assurance by the COAI and all its member companies to bear the entire financial impact that the acceptance of this proposal would entail on them.

The said agreement shall be binding on those Operators who participated and in agreement of the proposal of the Cellular Operators Association of India and agreed by the Corporation.


Sanjay Yadav,
Executive Engineer (Building HQ),
SDMC.


Udit Ratna,
Chief Town Planner, SDMC.


Manoj Bajpai, Advocate for Respondent no.
1, Cellular Operators Association of India


Khurshheed Ahmed Bhatt, Regional Network
Head for respondent no. 5, Aircel Ltd.

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Tis Hazari Courts, Delhi

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Delhi Metro
The Hon'ble Courts
10/11/2011

Sameer Chugh

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S.K. Mishra, Executive Engineer
(Building HQ), NDMC.

Sameer Chugh, Director (Legal and
Regulatory) for respondent no. 6, Airtel.

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A.D. Biswas, Chief Town Planner, NDMC

Anuj Bhatia, AGM (Corporate Affairs) for
respondent no. 11, Vodafone Mobile
Services Ltd.

Sanjay Kumar, Executive Engineer
(Building HQ), EDMC.

Vikram Singh, Sr. Manager (Legal) for
respondent no. 12, Indus Tower Ltd.

Sh. Rakesh Ailawadh, Chief Engineer
(Building) HQ, EDMC

Pankaj Kumar Advocate for Idea Cellular
Ltd. (respondent in LPA No. 573/11)

Sunil Kumar Mehra, Chief Town
Planner, EDMC.

Satik Mahapatra, Advocate for Idea Cellular
Ltd. (respondent in LPA No. 573/11)

Naresh Arora, VP (Legal) for ATC Telecom
Infrastructure Private Ltd.

Raj Shekhar Rao, Advocate for ATC Telecom
Infrastructure Private Ltd.

Parveen Sharma, Vice President, Corporate
Affairs.

Vineet Goel for Reliance Jio Infocom Ltd.

Nayan Tara for Reliance Jio Infocom Ltd.

Srishty Chadha, Sr. Executive (Legal) for GTL
Infrastructure Ltd.

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Mishra
The Hon'ble Courts

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Delhi Mediation Centre
Tis Hazari Courts
Delhi/30.01.2017

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Sanjeev Kumar Trithani, DGM (Legal) for
Tower Vision India Pvt. Ltd

The contents of the settlement have been explained to the parties in vernacular and they have understood the same and have admitted the same to be correct. Settlement proceedings be sent to the Hon'ble Delhi High court.

[Signature]
(Dr. Sudhir Kumar Jain)
Judge Incharge,
Mediation Centre
Tis Hazari Courts,
Delhi/30.01.2017

TRUE COPY
[Signature]
Branch Incharge
Mediation Centre
Tis Hazari Courts Delhi

SUB: SETTLEMENT FOR PERMISSION FOR INSTALLATION OF TEMPORARY STRUCTURE FOR CELLULAR MOBILE PHONE TOWER / SERVICES FALLING IN THE AREAS UNDER THE JURISDICTION OF SOUTH / NORTH / EAST DELHI MUNICIPAL CORPORATION

- (1) Standing Committee in its meeting held on 04.08.2016 vide Resolution No. 73 - Item No.44; and (2) the Corporation, vide its Resolution No. 208 dated 19.09.2016 as circulated vide letter No. F.33/Corp./HC/870/C&C dated 14.10.2016, resolved
- (2) Standing Committee in its meeting held on 7.9.2016 vide Resolution No.151 Item No.57 and (2) the Corporation, vide its Resolution No.263 dated 17.10.2016 as circulated vide letter No. F.33/corp. Committee/HC/988/C&C dated 8.11.2016
- (3) Standing Committee in its meeting held on 8.9.2016 vide Resolution No. 68 Item No.30 and (2) the Corporation, vide its Resolution No 79 dated 26.9.2016 as circulated vide letter No. F .33/Corporation/746/C&C dated 4.10.2016.

Chauhan
Sanjeev Chugh

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1. Application to Delhi Urban Art Commission (DUAC) or Delhi Fire Service (DPS), in cases where the tower is installed on the buildings covered under the guidelines of DUAC or DFS wherever applicable shall be submitted at the single window.

NOC of Archaeological Survey of India (ASI), Airports Authority of India (AAI) (only in case if the location is marked in red zone in Colour Coded Zoning Map (CCZM) specified by AAI), wherever applicable.

In sites which do not have a generator set and are powered only with electricity mains and secondary batteries, the clearance from Delhi Pollution Control Committee (DPCC) will not be required.

Delhi Metro Rail Corporation (DMRC) application shall only to be submitted in case the GBT / RTT is in the DMRC notified corridors, wherever applicable, will be obtained.

In case such NOCs have already been obtained by the applicant company, the copy of same will be submitted to the Corporation.

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Delhi
District Court
Delhi-110054

Structural stability certificate from any one of the following six institutions are required to be obtained by the Cellular and Basic Cellular Operators/registered IP-1:

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- (a) Indian Institute of Technology (IIT), Delhi;
- (b) Indian Institute of Technology (IIT), Roorkee;
- (c) Central Building Research Institute (CBRI), Roorkee.
- (d) Rail India Technical & Economic Services Ltd. (RITES), Delhi;
- (e) National Council for Cement & Building Material, 34 KM Stone, Delhi Mathura Road, Faridabad (Haryana);
- (f) Any Government Engineering College in Delhi and National Capital Region;

Amend
Sanjeev Chugh

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3. In case of buildings which were unauthorized or which may be so declared at a later point of time, permission for installation of tower shall be granted on fulfillment of all the conditions. However, that shall not imply any change whatsoever in the status of the unauthorized building and shall be without prejudice to the right of MCD to demolish the said building through the due process of law. MCD will inform the concerned licensee/ registered IP-1 in advance (before 15 working days) or as per the Court Order on the demolition and grant sufficient time to remove the equipment.

An indemnity Bond to this effect will be submitted by the company. But the Corporation will not be liable to inform the Cell Tower Operator or infrastructure provider before taking action against the unauthorized building.

4. The licensees or registered IP-1s may share the towers for fixing their respective antennas provided that the prescribed conditions are duly fulfilled so as to ensure curtailing of multiple towers and optimizing the use of the existing ones. There shall be no additional charges for the sharing of towers.

5. As per guidelines of Department of Telecommunications (DOT), a Copy of application for Standing Advisory Committee on Frequency Allocation (SACFA) clearance acknowledged by WPC Wing of Department of Telecommunication, Govt. of India with registration number for the individual location will be submitted alongwith the application for new towers in the Corporation and the SACFA clearance, when obtained will be submitted within 6 months of granting permission. The self-declaration in this regard will be submitted by the applicant. In case of existing mobile towers the SACFA clearance, wherever available, will be submitted alongwith the application in the Corporation.

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For sites to be installed in the areas marked under red zone as per CCZM specified by AAI. NOC from AAI/ SACFA clearance will be submitted.

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Further, compliances of Clause No 9.2.5(c) and (d), after 9.2.5(b) in Chapter-9 (Provisions for Structural Safety, Natural Disaster, Fire and Building Services) of the newly notified Unified Building Bye-Laws-2016 shall be ensured.

6. **FEES**: The Fee will be as below:

a. Towers Roof Top Tower (RTT) /Ground Based Tower (GBT)/ Ground Based Mast (GBM) until Jan 1, 2015.

i. For the period 08.04.2010 to 31.12.2014

Rs. 150,000/- for 5 years irrespective of sharing with effect from the date of installation

b. Prospective from 01.01.2015 for RTT/GBT/GBM

i. Rs.200,000/- for 5 years irrespective of sharing with effect from the date of installation

c. For towers installed prior to issue of policy dated 08.04.2010 of erstwhile Municipal Corporation of Delhi under the Policy of 2003. If charges were previously deposited under the previous policy of the year 2003, then no additional charges shall be required to be submitted. If such fee was not paid, then the fees payable shall be Rs. 100,000/- till 08.04.2010. For subsequent years, charges to be paid as per a & b above.

d. Pole sites: Pole sites per Operator up to 12 M height

i. Rs.20,000/-

ii. Duration 5 years

iii. With effect from 01.01.2016

e. All payments made under protest as per the interim Order of the Delhi High Court dated May 31, 2010 shall be adjusted against amounts to be paid as specified above, either for the sites installed between 2010 - 2014 and also post January 2015.

7. The licensees and registered IP-1s shall be responsible for any damage to life or property caused by the Pole/Tower/Mast, in case it is proven that the damage has been caused solely due to Pole/Tower/ Mast. Accordingly, an Indemnity Bond in this regard will be submitted.

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8. For providing generator set for new mobile tower and tower installed till 01.01.2016, a copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufactures of the Diesel Generator (DG) Sets as per guidelines issued by DOT will be submitted alongwith the application.

For generator set installed on mobile towers installed prior to 01.01.2016, certificate from Delhi Pollution Control Committee (DPCC) or its authorized agency will be submitted within 6 months of date of issue of this Policy.

- 9. The Operator shall ensure the safety guidelines issued by DOT in this regard. However, a Self-Declaration in this regard will be submitted by the applicant.
- 10. The responsibility and authority for sharing alongwith requisite fee shall lie with the applicant company.
- 11. The complaints relating to EMF emissions, if any will be referred to Department of Telecommunication/ TERM Cell, Government of India.
- 12. The mobile towers installed without permission post-issuance of this Policy will be regularized as per rules alongwith the penalty @ 25% of the requisite permission fee as per clause 6.

13. The applicant will submit as below:

- A. For CGHS: NOC/ Copy of Agreement from the Management Committee/ Administrator;
- B. For DDA/ Group Housing: NOC/ Copy of Agreement from RWA of that Group Housing;
- C. For plotted development:
 - (a) For RTT & GBT - NOC from all the owners of the building and Copy of Agreement from owner of roof rights.
 - (b) For RTPs - Copy of agreement from owner of roof rights.

14 Application

- (a) The application will be submitted by Telecom Service Provider Company or Infrastructure Provider Company having valid license from the Department of Telecommunication, Govt. of India.
- (b) The applicant company will submit the building plan and location plan of the existing

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building duly signed by the applicant and Structural Engineer for RTT and RTPs.

- (c) Copy of relevant license/infrastructure provider registration certificate of the company issued by the Department of Telecommunication, Govt. of India is to be given.
- (d) In case of violation of the terms & conditions, the permission may be withdrawn after granting opportunity of hearing to the applicant.

15. Revised guidelines shall be prepared from time to time based on the guidelines issued by the Department of Telecommunications, Government of India and the policy of the Corporation.

16. Checklist which will be applicable from date of issuance of this Policy:

List of Documents to be submitted to Municipal Corporation:

- (i) For RTT/GBT/GBM
 - a. Application submitted to Delhi Urban Art Commission, wherever applicable;
 - b. Application submitted to Delhi Fire Service, wherever applicable;
 - c. Structural Safety Certificate;
 - d. SACFA Application;
 - e. Self-declaration for SACFA clearance, when obtained, within 6 months;
 - f. Copy of type test certificate issued by ARAI to the manufacturer of the DG sets, if applicable;
 - g. Indemnity Bond as per clause 3 and 7;
 - h. Self-declaration as per clause 5;
 - i. The applicant will submit as below:
 - (a) For CGHS: NOC/ Copy of Agreement from the Management Committee/ Administrator;
 - (b) For DDA/ Group Housing: NOC/ Copy of Agreement from RWA of that Group Housing;
 - (c) For plotted development:
 - 1. For RTT/ GBT/GBM - NOC from all the owners of the building and Copy of Agreement from owner of roof rights.
 - 2. For RTPs - Copy of agreement from owner of roof rights.
 - j. Tower/ mast design duly signed by the applicant and Structural Engineer;

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Copy of relevant license/infrastructure provider registration certificate of the company issued by the Department of Telecommunication, Government of India is to be given;

(ii) For Pole sites

- a. Application made to Delhi Urban Art Commission, wherever applicable;
- b. Application made to Delhi Fire Service, wherever applicable.
- c. SACFA Application;
- d. Self-declaration for SACFA clearance, when obtained, within 6 months;
- e. Copy of type test certificate issued by ARAI to the manufacturer of the DG sets, if applicable;
- f. Indemnity Bond as per clause 3 & 7
- g. Self-declaration as per clause 5 & 9
- h. The applicant will submit as below:

i. For CGHS; NOC/ Copy of Agreement from the Management Committee/ Administrator;

ii. For DDA/ Group Housing; NOC/ Copy of Agreement from RWA of that Group Housing;

iii. For plotted development:

- 1. For RTT & GRT - NOC from all the owners of the building and Copy of Agreement from owner of roof rights.
- 2. For RTPs - Copy of agreement from owner of roof rights.

i. Copy of relevant license/infrastructure provider registration certificate of the company issued by the Department of Telecommunication, Govt. of India is to be given.

17. Processing of Applications:

- a. The concerned Zonal Engineer will act as a Nodal Officer for granting permission for new mobile towers and for regularization of existing illegal mobile towers as per law.
- b. All applications will be processed as per the above settlement.
- c. Permission shall be granted in a time bound manner which shall not exceed 30 (thirty) calendar days from the date of filing of application, in cases where no external permission (such as DUAC, DFS, AAI, DMRC, ASI, etc.) failing which it will be treated as deemed permission.

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Sushy Chandra
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2014

Answer

Building Dept

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Building Dept

Code

- d. 30 calendar days window for clearance will commence once all the documents (as per the check-list given in Para No. 16) are submitted.
- e. The Municipal Corporation will forward the Application within 07 working days of receipt by the concerned Nodal Officer for permission from agencies other than Municipal Corporation (such as DUAC, DFS, AAI, DMRC, ASI, etc.).
- f. The deemed permission will not exempt the applicant from deposition of application charges and submission of requisite documents and clearances. The application will be submitted by the applicant company along ownership document of the building / floor, NQC / agreement of the owner and other requisite documents and fee. The cases having all the requisite documents will be referred to other Departments as applicable within 10 days. The deficiency, if any, will be communicated by the Building Department to the applicant company within 10 days and after receipt of all the requisite documents, the case will be forwarded to other Departments as applicable within next 10 days. After receipt of the clearances of all the Departments, as applicable, the permission will be granted within 10 days.
- g. A copy of the permission will be sent by Building Department to A&C Department for imposing requisite tax.

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Government of India
Department of Telecommunications
(Carrier Services Cell -III) Sanchar Bhawan
20, Ashoka Road, New Delhi- 110001

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No. 16-01/2018-CS-III/1

Dated: 24.04.2018

To

Ms Niti Mendiratta
Nitim.81@gmail.com

Subject:- Guidelines for Installation of Mobile Towers in residential areas - regarding.

Sir,

The undersigned is directed to refer to your e-mail dated 09.04.2018 on the above noted subject. In this regard, a copy of advisory guidelines issued by this department for installation of mobile towers is enclosed for your reference. It is also intimated that detailed information on tower policy and radiation related issues have been provided in public domain and is available on dot website.

With regard to impact of Electromagnetic Field (EMF) emissions from mobile towers on health, it is intimated that World Health Organization (WHO) has referred to approximately 25,000 articles published around the world over past 30 years, and based on an in-depth review of scientific literature, has stated, "Despite the feeling of some people that more research needs to be done, scientific knowledge in this area is now more extensive than for most chemicals." WHO has concluded - "current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields".

The main conclusion from the WHO reviews is that EMF exposures below the limits recommended in the International Commission on Non Ionizing Radiation Protection (ICNIRP) international guidelines do not appear to have any known consequence on health. Department of Telecommunications in the year 2008, adopted the International Commission on Non Ionizing Radiation Protection (ICNIRP) guidelines that are recommended by WHO for basic restriction and limiting reference levels of electromagnetic radiation from mobile towers.

Department of Telecommunications (DoT) had constituted an Inter-Ministerial Committee (IMC) consisting of officers from DoT, Indian Council of Medical Research (Ministry of Health), Department of Biotechnology and Ministry of Environment and Forest (MoEF) on 24.08.2010 to examine the effect of EMF Radiation from mobile base stations and mobile phones. Inter-Ministerial Committee (IMC) in its report dated 31.12.2010 examined the environmental and health related concerns and indicated that most of the laboratory studies were unable to find a direct link between exposure to radio frequency radiation and health; and the scientific studies as yet have not been able to confirm a cause and effect relationship between radio frequency radiation and health. The effect of emission from cell phone towers is not known yet with certainty. The inter-ministerial committee (IMC) examined several international and national studies/reference papers, related with the EMF radiation, before finalizing its recommendations.

Based on the recommendations of IMC, the norms for exposure limit for the Radio Frequency Field (Base Station Emissions) in India were made 10 times more stringent by reducing to 1/10th of the existing limits prescribed by International Commission on Non Ionizing Radiation Protection (ICNIRP).

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These norms were further considered by a larger Committee, that was constituted in a Writ Petition filed in Hon'ble High Court Allahabad, Lucknow bench. The Hon'ble Court vide its order dated 10.01.2012 constituted a committee including Members from IITs Kharagpur, Kanpur, Delhi, Roorkee, Bombay and from other scientific institutions of the country including Indian Council of Medical Research (ICMR), Indian Institute of Toxicology Research Lucknow, Science & Engineering Research Board (SERB) under the Department of Science & Technology and All India Institute of Medical Science (AIIMS) Delhi who submitted its Report on 17-01-2014. After due consideration of the human health concerns on account of EMF radiation being raised in public and the Report of the Committee, the Government has decided in February 2014 that the present prescribed precautionary EMF safe exposure limits are adequate and need no further change at this stage.

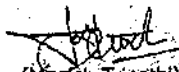
Making the norms ten times stricter than what has been prescribed by ICNIRP and recommended by WHO, obviates the need for having separate norms for residential areas. Further, Government of India has taken adequate steps to ensure that Telecommunications Service Providers strictly adhere to these prescribed norms. Accordingly, no restriction has been imposed on installation of mobile tower in residential areas, subject to their meeting the norms for prescribed limits.

Government of India has also put in place a well-structured process and adequate mechanism to ensure that Telecommunications Service Providers strictly adhere to these prescribed norms. All new mobile BTS sites start radiating commercially only after ensuring adherence to prescribed norms and, after submission of certificate to this effect to relevant Licensed Service Area (LSA) field units of DoT in every cycle of two years and also in case of any upgradation /changes. These self-certificates, required to be submitted by TSPs, provide information in detail, which are based on: physical measurement, well defined and accepted calculations and include various photographs taken on site. The data provided is verifiable and unique for the site so as to ensure its correctness. These self-certificates are further scrutinized by LSA field units for their correctness. Any complaint regarding radiation from mobile tower, the request for EMF measurement can be raised through Tarang Sanchar Portal. For further details following sites can be referred:-

- (1) <http://www.dot.gov.in/journey-emf>
- (2) <https://tarangsanchar.gov.in/emfportal>

Hope the foregoing sufficiently addresses your concerns.

This issues with the approval of the competent authority.


(Manish Tripathi)
Assistant Director (CS III)
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