Chandigarh Policy on Towers for Mobile Telephone and Data Services

No. 26/6/22-UTFI(3)-2015/2140.—In exercise of the powers conferred by Section 4 of the Capital of Punjab (Development and Regulation) Act, 1952 and the Punjab New Capital (Periphery) Control Act, 1952 and the rules made there under, Chandigarh Administration is pleased to Notify as below, the Policy to regulate installation of Towers for Mobile Telephone and Data Services (hereinafter called Tower(s)). This notification supersedes Memo No. 26/6/22-UTFI(3)-2001/8250, dated 3rd December, 2004 and Order dated 5th June, 2008 issued by Chief Administrator, U.T., Chandigarh:

1. Restrictions of Location, Footprint and Height:—A Tower, shall be located only in open areas (such as unused spots in parkings, incidental open areas excluding parks, incidental open areas of institutions, in such manner that functionality of the place is not hindered in any manner)/or atop commercial or institutional buildings not less than 3 storey high at a point which at its base point on ground, is at least as distant from boundary of any residential plot as the total Height of the tower i.e. Height from ground of the tower plus antennae to be installed thereupon. Total height shall be restricted to 36 meters from ground.

In case of ground based towers, the footprint of the Tower shall not exceed 6 mtrs. X 6 mtrs. Equipment including power back up shall be accommodated within the footprint, up to a height of 2 feet. A basement up to 12 feet depth shall be permitted under the structure of the tower. Roof top/ground based generator or cabins shall not be installed. Only silent generators carrying manufacturer certificate of noise generated by it being below permissible decibel level shall be deployed within the authorized area. Additional space if needed shall be taken in other approved buildings.

The Chief Architect shall be furnished a copy of the proposed installation plan, who shall within two weeks verify that the proposal is in accordance with aforesaid provisions especially that the functioning of the place is not hindered and that adequate setbacks are provided when towers are erected in open spaces around commercial/institutional buildings.
2. **Sharing** --- A Certificate shall be furnished by firm installing Tower that it is designed to be used by minimum 3 operators and that an operator installing antenna on it does not have another antenna installed in a radius of 300 mtr. around the Tower.

3. **Safety** --- Agency applying for permission to install a tower shall submit, in Form 'J' of the Capital of Punjab (Development and Regulation) Act, 1952, the Structural Design of the Tower, certified by PEC University of Technology, Chandigarh.

   The agency putting the tower shall solely bear criminal and financial liability for any damage/harm/loss caused to anybody or any property in any manner.

   A certificate from the Department of Telecom stating that radiation being emitted from the antenna installed over it is within specified norms shall be submitted to the authority issuing license for erection of tower within a month of installation of any such antenna on the tower.

4. **Fee and Charges** --- Non-refundable license fees @ ₹ 5.00 lacs for 7 years shall be deposited within 30 days of the grant of license and before the start of work on site. Fee shall at least double every 7 years from the date of notification. License fee shall remain unchanged in every 7 year period. Fee applicable in that 7 year period shall be applicable for new cases coming in that period as well as cases of renewal falling in that time slot.

   In case of Government lands, additional annual ground lease fee @ ₹ 5.00 lacs per annum shall be payable as on the date of notification, which too shall be enhanced at the rate and in the manner of license fee, as described above.

5. **Documents required** :

   (i) Consent of the land owner, government or private.

   (ii) Clearance from Air Force/Airport Authorities.

   (iii) NOC from Ministry of Environment and Forests in case the tower is to be installed in the area marked in map at Annexure II and II-A.

   (iv) Structural design/stability certificate certified by PEC University of Technology, Chandigarh.

6. **Submission of application and processing time** --- The application will be submitted to the Estate Officer-cum-Deputy Commissioner, U.T., Chandigarh, who shall issue a receipt stating that the application is complete in all respects. Decision granting or refusing the licence shall be conveyed within a period of 90 days from the receipt of the application.

7. **Withdrawal of Permission** --- The authority issuing the license may withdraw it, on the ground of violation of any of the conditions of the license after giving a notice of 30 days to correct the default or explain. The appeal for the same would be filed with the authority notified by the Chandigarh Administration within a period of 15 days.

   **SARAVJIT SINGH, I.A.S.,**
   **Chief Administrator,**
   **Chandigarh Administration.**