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No. DIT.Dev-(IT)2005(Misc.) - 96
Department of Information Technology
Government of Himachal Pradesh

From

Principal Secretary (IT) to the
Government of Himachal Pradesh

To

The Commissioner-cum- Chief Secretary (TD) to the
Government of Himachal Pradesh

The Addl. Chief Secretary (MPP & Power/ Finance/ TCP, Housing & UD/
Environment) to the Government of Himachal Pradesh

The Principal Secretary (RD & PR) to the
Government of Himachal Pradesh

Dated: Shimla-2, the 21st June, 2017

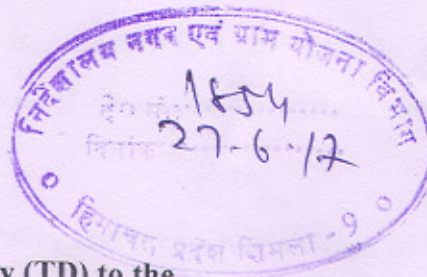
Subject: Revised Policy for Setting up Mobile Communication Towers

Sir,

The Department of Information Technology notified a Policy for setting up Mobile Communication Towers in the State vide Notification No. DIT.Dev-(IT)2005(Misc.) dated August 22, 2006 and subsequent clarification issued vide letter dated October 4, 2006. The objective of framing this Policy was to accelerate growth of mobile communication in the State while improving quality of service and to have a suitable regulatory mechanism to prevent haphazard approach.

The State Government was receiving feedback for quite some time regarding Mobile Towers from various quarters such as:

- i. Citizens were complaining against haphazard construction of Mobile Towers,
- ii. Local Bodies and other government agencies were complaining about non-payment of dues by telecom operators or non-adherence to the prescribed norms



- iii. Telecom Operators not getting NOCs from the government agencies in time thereby hampering/ delaying the installation of mobile towers in the State and in turn preventing quick expansion of mobile network in the State.
- iv. The Department of Telecommunications, Government of India issued guidelines for state governments for issue of clearance for installation of Mobile Towers.

This necessitated the need to revisit the Policy and take a holistic view of the present processes being followed by the government agencies as well as by the Telecom Operators so that bottlenecks and issues, if any, in granting NOC to the Telecom Operators or collecting dues from the Telecom Operators could be identified and accordingly, changes in the Mobile Communication Towers Policy of the State could be done.

Accordingly, the State IT Department drafted the revised Policy and sought comments from all the Government Departments, Citizens and other stakeholders on the revised Policy. Based on the comments received from all the stakeholders and guidelines issued by Department of Telecommunications, Government of India for issue of clearance for installation of Mobile Towers, the existing Policy for Setting up Mobile Communication Towers was modified. The revised Policy was taken to the Council of Ministers in its meeting held on 05-06-2017. "Revised Policy for Setting up Mobile Communication Towers" enclosed in **Annexure-A** to this letter has been approved by the Government.

It is, therefore, requested that further necessary action may be taken at the level of your Department by issuing instructions and / or notifications or by amending bye-laws in keeping with Acts & Rules of relevant local bodies in this regard and initiate actions on field as per the provisions of revised Policy. A copy of action taken in the matter may kindly be supplied to this Department for reporting compliance of decision taken by the Council of Ministers.

Yours faithfully,

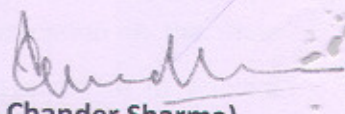
(Jagdish Chander Sharma)
Principal Secretary (IT) to the
Government of Himachal Pradesh

Endst. No.: As above

Dated: Shimla-2, the 21st June, 2017

Copy forwarded to the following for favour of information and necessary action:

1. The Commissioner, Tribal Development, Shimla-2
2. The Chairman, HPSEB, Shimla-4.
3. The Director, Rural Development and Panchayati Raj, Shimla-9.
4. The Director, Urban Development, Shimla-2.
5. The Director, Town & Country Planning, Shimla-9.
6. All the Deputy Commissioners in Himachal Pradesh.
7. The Commissioner, Municipal Corporation, Shimla-1.
8. The CEO, Housing Board, Shimla-2.
9. The Chief General Manager, BSNL, SDA Complex, Shimla-9.
10. The Circle Head, Airtel, SDA Complex, Kasumpti, Shimla-9.
11. The Business Head, Reliance Communication Ltd., Bhrata Sadan, Kasumpti, Shimla-9.
12. The Circle Head, Tata Indicom, Mouza Chotta, Kasumpti, Shimla-9.
13. The Circle Head, Idea, Keonthal Complex, Khalini, Shimla-2.
14. The Circle Head, Vodafone, Durga Cottage, Kasumpti, Shimla-9.
15. The Circle Head, Reliance Jio Infocomm Ltd., ISBT, Tutikandi, Shimla-4.


(Jagdish Chander Sharma)
Principal Secretary (IT) to the
Government of Himachal Pradesh

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Government of Himachal Pradesh
Department of Information Technology

No. DIT.Dev-(IT)2005(Misc.) - 96

Dated: Shimla-2, the 28th June, 2017

NOTIFICATION

Whereas, a policy for setting up of Mobile Communication Towers in the State was issued in 2006 in order to accelerate growth of Telecommunication Infrastructure in the State under a suitable regulatory mechanism and to improve the quality of service. However, a need was felt to revise the existing Policy for setting up of Mobile Communication Towers in the State on account of the guidelines issued by Government of India in 2013, advisories received from time to time and other related developments in the field of Telecommunications.

Now, therefore, in supersession of this Department notification of even number dated August 22, 2006 and subsequent clarification issued vide letter of even number dated October 4, 2006, the Governor of Himachal Pradesh is pleased to re-notify the **Policy for setting up of Mobile Communication Towers in Himachal Pradesh.**

Concept:

This Policy seeks to accelerate growth of mobile communication in the State while improving quality of service and to have a suitable regulatory mechanism to prevent haphazard approach. The Policy spells out the various roles of Town and Country Planning Department (TCP), Local Bodies, Special Area Development Authority (SADA), Pollution Control Board (PCB), HP State Electricity Board Ltd. (HPSEBL), etc regarding issuance of various clearances before installation of Mobile Communication Towers and formulates guidelines to be adhered to by Telecom Service Provider (TSP)/ Infrastructure Provider (IP) both before and after installation of Mobile Communication Towers.

1. Authority to grant permission for setting up Mobile Towers

Prior permission of the Town and Country Planning Department/ Local Body/ SADA (as the case may be) is required for setting up Mobile Communication Towers (including Wall/ Pole

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Mounted Antennas) or erection of a part thereof, raising any construction, including Tower, etc.

2. Procedure for Submitting Application

The application for setting up of Mobile Communication Towers (including Wall/ Pole Mounted Antennas) or erection of a part thereof etc., shall be made by the concerned Telecom Service Provider (TSP)/ Infrastructure Provider (IP) [after depositing dues as defined in Clause 3 below] to the concerned Local Body/ SADA/ TCP along with required documents as detailed in this Policy.

2.1 Documents to be submitted along with Application by Telecom Service Provider (TSP)/ Infrastructure Provider (IP) for seeking approval from Local Bodies/ SADA for setting up of Mobile Communication Tower:

2.1.1 Copy of documents issued by Central Government/ Agencies:

- i. Copy of relevant license/ Infrastructure Provider Registration Certificate from Department of Telecommunications (DoT), Government of India.
- ii. Copy of Standing Advisory Committee on Radio Frequency Allocation (SACFA) clearance / copy of Standing Advisory Committee on Radio Frequency Allocation (SACFA) application for the said location submitted to Wireless Planning Coordination (WPC) wing of DoT with registration number as Wireless Planning Coordination (WPC) acknowledgement along with undertaking that in case of any objection/ rejection, Telecom Service Providers (TSPs)/ Infrastructure Providers (IPs) will take corrective actions / remove the tower.
- iii. Copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the Diesel Generator (DG) Sets.
- iv. Acknowledgement receipt issued by the Telecom Enforcement, Resource and Monitoring (TERM) Cells (DoT) of the self-certificate submitted by TSP/ IP in respect of Mobile Communication Tower/ Base Transceiver Station (BTS - ground based/ roof top/ Pole/ wall mounted) in the format as prescribed by Telecommunication Engineering Centre (TEC), DoT.

establishing / certifying that all General Public areas around the tower will be within safe Electromagnetic Radiation (EMR) exposure limit as per peak traffic measurement after the antennae starts radiating.

- v. Clearance from WPC Wing through Nodal Agency Directorate of Coordination Police Wireless (DCPW), Government of India to be submitted along with the application in order to ensure Mobile Communication Tower/ Base Transceiver Station (BTS - ground based/ roof top/ Pole/ wall mounted) are installed at a considerable distance from Himachal Pradesh Police Wireless installations without adversely affecting the HF & VHF Communication of Himachal Pradesh Police.

2.1.2 Copy of documents issued by the State Government/ Agencies:

- i. Copy of sanctioned roof plan, if the tower is to be erected on an existing building.
- ii. Minimum setbacks as applicable for residential buildings in the Planning Area or Special Area or Municipal Body shall be applicable, in case tower is installed on ground. A Structural Stability Certificate of the building shall be mandatory for roof top towers and towers erected on ground from the competent authority.
- iii. Copy of the approved completion plan clearly depicting that the completion of top floor along with roof of the building has been approved by the Competent Authority. In case of some buildings completed before a cut-off date, there is no need of building completion plan. In such cases structural safety certificate will suffice.
- iv. Copy of clearance from the Fire Safety Department only in case of high rise buildings where Fire Clearance is mandatory as per the National Building Code of India, 2005.
- v. Prior approval of the Government of India under Forest (Conservation) Act, 1980 needs to be taken through State Forest Department in case Tower is to be erected on forest land.
- vi. Revenue documents, i.e., tatima and jamabandi in original.

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Note: In case of Gram Panchayats, not falling in Planning Areas and Special Areas constituted under the H. P. TCP Act, 1977, there shall be no requirements of roof and completion plan as stipulated in Clause 2.1.2(i), 2.1.2(ii) and 2.1.2(iii) supra.

2.1.3 Other requisite documents to be submitted along with Application:

In addition, following documents shall have to be submitted along with the application:

i. Data Sheet

- a) Name of Telecom Service Provider/ Infrastructure Provider
- b) Location
- c) Tower reference:

Height; Weight; Ground/ Roof Top; Pole/Wall Mounted;
Number of Antennae.

- ii. Site plan in scale of 1:200 and location plan in 1:1000.
- iii. Structural safety certificate of tower from a graduate structural engineer as per section 243 of the Himachal Pradesh Municipal Corporation Act, 1994 or Graduate Structural Engineer who is a member of the Institution of Engineers (www.ieindia.org) or Authorised Chartered Structural Engineer of the State/ Local Bodies or from any Indian Institute of Technologies (IITs) or Any National Institute of Technologies (NITs) or Central Building Research Institute (CBRI), Roorkee or Rail India Technical and Economic Service (RITES), Gurgaon or Structural Engineering Research Centre (SERC), Chennai or other agency authorized by Local Body/ SADA/ TCP
- iv. 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 along with proof of ownership.
- v. Design parameters and foundations details. Drawing of tower with complete details in shape of Ferro-prints or AutoCAD drawings. Height of the tower and HT lines in the vicinity should be clearly indicated. In case proposed tower is in vicinity of or adjoining to high or low voltage lines, then its

horizontal and vertical distances from the same shall be clearly indicated in the drawings and shall conform to the National Building Code of India, 2005.

- vi. Responsibility of public safety will lie with the Telecom Service Provider during establishment or post establishment of Mobile Tower, during maintenance or other related activities. The Telecom Service Provider shall take all necessary safety steps and measures while executing the work. The Telecom Service Provider will indemnify the Local Body/ SADA/ TCP against any accident and damage caused to life or property during execution and post execution. An Indemnity Bond for the same to be submitted along with application.
- vii. Requisite Fee, as defined in Clause 3 below, by way of a Demand Draft/ RTGS/ NEFT.
- viii. **Indemnity bond** to indemnify the Local Body/ SADA/ TCP or any other persons or institutions (as the case may be) in the prescribed format against (i) any liability for the damage caused to the Mobile Communication Tower infrastructure/ utilities/ facilities installed by the TSP/ IP for any reasons, (ii) claims against any losses, death, disability or injuries that may be inflicted upon third party as a result of the actions of the TSP/ IP, and (iii) claims against any accidents on account of the Mobile Communication Tower infrastructure / facilities installed or against any claims thereafter during the period of Operation & Maintenance of such Mobile Communication Tower infrastructure at all times. The TSPs/ IPs shall ensure safety and security of all Mobile Communication Tower installations/ utilities/ facilities and shall be solely responsible for compensation/ indemnification of concerned authority for damage caused/ claims or replacements sought for at the cost and risk of TSPs/ IPs to the concerned authority.

3. Fee Structure:

Application fee and Annual Renewal fee to be charged at the following rates shall be paid by the Telecom Service Provider/ Infrastructure Provider:

3.1 Municipal Corporation Areas: One time installation fee @ Rs 50,000/- per tower and Annual Renewal Fee @ Rs 25,000/- per annum per tower.

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3.2 Municipal Councils and Nagar Panchayats: One time installation fee @ Rs 25,000/- per tower and Annual Renewal Fee @Rs 12,500/-per annum per tower.

3.3 Town and Country Planning Areas falling outside the jurisdiction of Municipal Corporation, Municipal Councils and Nagar Panchayats but within the limits of notified Planning Areas, Special Areas and Deemed Planning Areas: One time installation fee @ Rs 10,000/- per tower and Annual Renewal Fee @ Rs 5,000/-per annum per tower.

3.4 Rural Areas (outside the Planning Areas) or Areas located in Tribal or Difficult Area: Application Fee @ Rs 10,000/- per tower and Annual Fee @ Rs 5,000/- per annum per tower.

NOTE:

- i. An Option for lump sum payment of annual renewal fee may also be given in blocks of 5 years (with 25% discount for upfront payment of the entire amount including annual renewal fees for 5 years).
- ii. There will be an increase in the annual renewal fee by 25% after every 5 years.
- iii. The rates for Application fee shall be as notified by State Government from time to time
- iv. An additional amount @ 60% shall be levied for every additional antenna which shares the same tower. No separate documentation for permission will be required, if an existing tower is used to install antennae(s) of another operator. However, 60% of the prescribed fee will be required to be paid.
- v. It is clarified that this Fee shall be charged for granting requisite approval for setting up of Mobile Communication Towers related infrastructure on top of an existing building or on the ground. This fee shall be in addition to the rent charged by owner of land, which he negotiates with the Telecommunication Companies.
- vi. TSPs/ IPs are required to deposit Annual Fee within 30 days of issuance of demand note by the Local Body/ SADA/ TCP indicating the following:
 - a) Amount to be deposited

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- b) A penalty @5% per week of the annual renewal fee would be payable by the Telecom Service Provider if payment is delayed beyond thirty days.
 - c) However, if the payment is delayed for more than two months, the concerned Local Body/ SADA/ TCP reserves the right to cancel the permission after giving a final notice of seven days.

4. Timeline for filing Application and granting approval:

In the first week of every month, the concerned Local Body/ SADA/ TCP will process the applications received from various Telecommunication Companies till the 21st day of the preceding month for the installation of Mobile Communication Towers or applications received 10 days before a regular or an unscheduled meeting as the case may be. Applications not received within time frame indicated above will be taken up for processing in the successive month along with the applications received in the current month. The Local Body/ SADA/ TCP will communicate acceptance or rejection or objections/ shortcomings, if any, to the Telecom Service Provider within 15 days of the meeting of Local Body/ SADA/ TCP. If the timelines are not adhered to by concerned Local Body/ SADA/ TCP then TSP/ IP can apply to Joint Coordination Committee (JCC) at Sub Division level.

5. Location:

Location of Mobile Communication Towers is governed by radio frequency system. The location shall be determined as follows:

5.1 Telecom Infrastructure/ installation of Tower is permitted under this Policy for all locations irrespective of provisions relating to land use under any other law/ act and provisions of section 118 under the HP Tenancy and Land Reforms Act, 1972. However, the erection of a Tower/ Telecom Infrastructure is not to be construed as a transfer of Land in favour of Telecommunication Companies.

5.2 The preference of location for setting up of Mobile Communication Tower shall be in the following order:

- i. As far as possible, TSP/ IP should try to avoid residential areas.
- ii. Where it is not possible to avoid the location of this tower in a residential area, possibility should be explored to locate these towers in open spaces subject to the condition that the maximum area for installation of such Mobile

Communication Tower is not more than 10% area of such open spaces and the same is located in one corner of such open spaces or on Community buildings in these areas.

- iii. Where it is not possible to find suitable space as mentioned at 6.2(i) to 6.2(ii) above, the towers should be permitted to be located on the roof top of Community building failing which residential buildings subject to the conditions mentioned under Clause 2.1.3(iv).
- iv. Erection of towers on heritage buildings shall not be allowed.
- v. Installation of Mobile Communication Towers shall not be permissible within the premises of schools, colleges, and hospitals as well as on the adjoining land/ building within 3 meters from the boundary of premises of schools, colleges and hospitals. Also Antenna(e) shall not be directed / positioned towards any school / college/ hospital building.
- vi. The existing Mobile towers the location of which is not in accordance with the provisions of clause 6.2(v) above, shall be reviewed by the Local Body/ SADA/ TCP (as the case may be) in accordance with the provisions of this Policy after it is given effect to. Any decision on such review, however, shall not be taken without affording adequate opportunities to the TSPs/ IPs to represent their case. The TSP/ IP shall comply with the orders, if any, passed on review by the Local Bodies/ SADA, as the case may be, and take appropriate action including removal of Towers etc. within 60 days from the date of receipt of order so passed.
- vii. Wall Mounted/ Pole Mounted Antenna:
 - The Antenna(e) mounted on Pole should be at least 5 metre above ground level/ road level on flyovers/ buildings.
 - No residential/ office/ work place is directly in front of the Wall/ Pole mounted Antenna(e) at a height comparable to the Antenna(e) as per DoT guidelines.
- viii. The TSPs/ IPs shall create pre-fabricated structure/ fencing around the Mobile Towers with restricted entry through door so that the usage of that particular

- portion to be restricted and not accessible for general purpose use. Similarly, efforts should be made to avoid BTS Antennas in narrow lanes ≤ 5 mtrs.
- ix. The TSPs/ IPs shall implement in-building solutions through a shared common facility, accessible and available to all service providers, in the State Government buildings, including schools, colleges and hospitals, and State Public Sector Undertaking offices.
- x. The TSPs/ IPs can setup Mobile Communication Tower on Government Land/ Building. However, TSPs/ IPs are required to adhere to following norms prior to and / or after setting up of Mobile Communication Tower on Government Land/ Building:
- Head of Office in case of office premises shall issue NOC to TSPs/ IPs for installing Roof Top Tower/ Ground Based Mobile Communication Tower and the same to be submitted along with Application by Telecom Service Provider (TSP)/ Infrastructure Provider (IP) for seeking approval from Local Bodies/ SADA for setting up of Mobile Communication Tower.
 - Use of Government premises or buildings to the TSPs/ IPs should not be detrimental to the daily routine activities of the office or officers concerned.
 - Damage caused to the government building/ assets/ land, if any, shall be rectified by the TSPs/ IPs to bring back to the original condition and to the satisfaction of the authorities concerned. The TSPs/ IPs will be solely responsible for any damage/ losses to the property/ people due to any accidents occurring due to the Mobile Communication Tower.
 - Government Department shall provide advance possession of the Government sites and quasi Government sites for which TSPs/ IPs have applied on non-exclusive basis subject to the designs and drawings as per IS code procedures on non-exclusive basis.
 - In addition to this, the Government Department would charge rent from the Telecommunication Companies. This rent would be in addition to the Fee charged for granting requisite approval for setting up of Mobile

Communication Towers related infrastructure on top of an existing government building or land. The annual rent would be as follows:

- Ground Based Towers → 10% of circle rates of land fixed by DC
- Roof Top Towers → Rentals to be fixed by concerned PWD authority after considering the land value and building cost

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Cell on Wheels Mobile Towers: Cell on Wheels Mobile Towers, usually referred to as COW, is a mobile cell site that consists of a cellular antenna tower and electronic radio transceiver equipment on a vehicle or trailer, designed to be part of a cellular network. COWs are used to provide expanded cellular network coverage and/ or capacity at special events such as major events, major conventions, or in disaster areas where cellular coverage either was never present or was compromised by the disaster. Formal clearance or permit will not be required for installation of COW for such specific temporary needs subject to prior formal intimation to the Deputy Commissioner, Superintendent of Police of the concerned district and the concerned Officer-in-Charge of the Police Station.

6. Noise Pollution

Generator sets installed at the tower site to cater to the power requirements of the antenna should conform to the noise and emission norms prescribed under the Environment Protection Act and Rules. However, in view of time frames set out by HPSEBL for providing electrical connection, need for generators should be minimized. Use of UPS is encouraged over DG Sets. Acknowledgement of a duly filled application form to the concerned Local Body/ SADA/ TCP shall be deemed to be sufficient for making an application to HPSEP&PCB (Himachal Pradesh State Environment Protection & Pollution Control Board). Consent to operate shall be normally granted by HPSEP&PCB based on manufacturers' specification sheet and test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the DG Sets, unless there is a felt need of carrying out noise tests. However, antenna shall be made operational only after obtaining permission of Local Body/ SADA/ TCP, HPSEP&PCB (if applicable) and clearances as per Clause No. 1 above. The TSPs/ IPs are advised to use Solar Power Panels as far as possible.

7. Safety/ Precautionary Provisions

The Telecommunication Companies are required to meet Quality of Service (QoS) parameters/ norms of radiation specified by the Government of India from time to time. The Electro Magnetic Radiations (EMR) shall necessarily be under control and the Telecommunication Companies must adhere to the guidelines issued by DOT from time to time. All radiation related technical details would be dealt with by the Telecom Enforcement, Resource and Monitoring (TERM) Cell unit of DOT at State level.

8. Electrical Connections:

HPSEB would provide electrical connection for energizing a tower within 30 days, depending on ground situation, if the location of tower is less than 50 meters from existing 3-phase LT supply network, on receipt of a formal application and completion of codal formalities by the concerned Telecommunication Company in the concerned Sub Division of HPSEB subject to the following conditions:

- a) Load is available from the existing distribution transformer
- b) 3-phase LT is already there

If the Mobile Communication Towers are located on isolated ridges of the hills and the extension of HT network, installation of step down distribution transformers and extension of L.T. line are required for providing power connection at such places, the connection will preferably be made available within three months from the date of duly completed application along with deposit of requisite amount. Considering low power requirement, the operator should not be normally asked to pay for the entire capital cost of creating necessary infrastructure. Acknowledgement of a duly filled application form to the concerned Local Body/SADA shall be deemed to be sufficient for making an application to HPSEBL.

9. Public Grievance Redressal and Coordination Mechanism:

9.1 State Government Assistance

- i. A **Joint Coordination Committee** having following members will be constituted at the Sub Division level for review of all Telecommunication Infrastructure related matters, like adherence to the timelines for granting approval, issues pertaining to Local Body/ SADA/ TCP or TSP/ IP:
 - a) SDM (as Chairperson),
 - b) Representatives of Telecom Service Providers,

- c) Representatives of Concerned Departments and
 - d) Representatives of Local Body/ SADA/ TCP
 - ii. To resolve larger issues related to Telecommunication infrastructure where district level intervention is required and other issues related to Local Body/ SADA/ TCP or TSP/ IP including grievances of or against the Telecommunication Companies, a **District level Coordination Committee** headed by the Deputy Commissioner shall be constituted.
 - iii. Similarly, a **State level Coordination Committee** headed by the Director (IT) shall be constituted to monitor issues pertaining to Mobile Tower Infrastructure in the State. The proposed State/ District level Coordination Committee would consists of officers from TERM Cells, State/District Administration, representatives of concerned Departments, representatives of concerned Telecom Service Provider(s), eminent public persons.
- 9.2 Any complaint concerning illegal installation of Mobile Communication Tower on ground or on any building or any query of any nature regarding the installation of Telecommunication Infrastructure shall be addressed to the Local Body/ SADA/ TCP with a copy to the Joint Coordination Committee headed by concerned Sub Divisional Magistrate and Director (IT). The Local Body/ SADA/ TCP shall take a final decision in the matter after inquiring into it and direct action considered appropriate to be taken by the concerned Telecom Service Provider within such period as may be prescribed by the Local Body/ SADA/ TCP.

10. Other Provisions

- 10.1 Any existing Mobile Communication Tower not conforming to the provisions of this Policy shall be removed by the concerned TSP/ IP within a period of 60 days from the date of receipt of directions in this regard from the Local Body/ SADA/ TCP to that effect failing which the permission granted by State Government for setting up of that particular Mobile Communication Tower under this Policy would stand cancelled automatically and the same would be declared as unauthorised structure. Action would be initiated by concerned authority of the State Government to demolish unauthorised structure. At the same time, citizens also

should not violate the Policy while constructing a new house or a building or a colony close to an existing Mobile Communication Tower.

10.2 The Mobile Communication Infrastructure created by the TSP/ IP will not be let out without prior intimation to the Local Body/ SADA/ TCP, which has granted the original permission, along with requisite fee.

10.3 Sign boards and Warning signs ("Danger", "RF Radiation", "Restricted Area", "Don't Enter" etc.) clearly visible and identifiable shall be provided at Tower/ Antenna sites.

10.4 The TSP/ IP shall display the details of the following on a board (minimum size 24" x 48") separately or prominently on the cabin, for the perusal of general public in such a way that the same shall be clearly visible and identifiable:

- i. Name of Telecom Service Provider:-
- ii. Location:-
- iii. Tower Reference:-1) Height, 2) Weight, 3) Number of Antennae planned on tower, 4) Permissible EMF radiation level, 5) Proposed EMF radiation level
- iv. Due date for next renewal
- v. Contact Person's name, address and Telephone Number
- vi. Address of Complaint Redressing Authority with Telephone Numbers
- vii. Other important information, if any

10.5 Mobile Communication Towers shall be inspected for distortion of members, torques of nuts and bolts at least once in a year. The TSP/ IP shall get the Mobile Communication Towers inspected through a Graduate Structural Engineer and will maintain record of the same and share gist of the report with concerned Local Body/ SADA/ TCP. However, in case of areas affected by any natural calamity, such as cyclone, earthquake, flood, etc., such inspection shall be carried out by Telecom Service Provider immediately after such incident through a qualified Structural Engineer and a certificate to that effect shall be submitted to the Local Body/ SADA/ TCP.

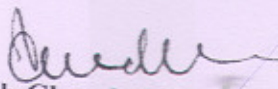
10.6 Indemnity Bond: The TSP/ IP shall indemnify the Government and any of its agencies against any loss of life or property in the process of execution of works or against any claims thereafter during the period of Operation & Maintenance of such

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Mobile Communication Tower infrastructure at all times. The TSP/ IP shall submit the Indemnity Bond on a non-judicial stamp paper of Rs 100/- denomination, duly attested by the competent authority.

10.7 Notwithstanding anything contained hereinabove, all the Regulations / Bye-Laws / Memorandum / Directions / Guidelines in this regard, issued or to be issued from time to time, by the Department of Telecommunications, Government of India and by the Government of Himachal Pradesh, shall prevail and be binding on TSP/ IP and also on all the Competent Authorities concerned, in which case, this Regulation shall stand modified to that extent.

10.8 Powers of Interpretation and Removal of Doubt :- If there is any overlapping provision in this Policy and if any interpretation is required regarding the clauses of this Policy, then the matter shall be referred to the Director, Department of Information Technology, Government of Himachal Pradesh, whose decision shall be final and shall not be called upon question under any circumstances.


(Jagdish Chander Sharma)
Principal Secretary (IT) to the
Government of Himachal Pradesh

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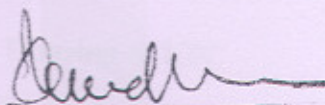
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