

Memo No.5605/ NKDA/ADMN-570/2015

Date:21.09.2015

NOTICE

A policy to issue No objection / Permission for installation of Mobile Tower within the jurisdiction of NKDA area has been approved in the 29th Meeting of the Authority is hereby notified for information and strict compliance to all Telecom Service Providers /Infrastructure Providers.

Building Plan Section of NKDA is entrusted to deal with this issue.

CB
21/09/15
Chief Executive Officer, NKDA

THE POLICY

INTRODUCTION:

NKDA has been receiving applications from different Telecom Service Providers / Infrastructure Providers for permission of installation of Mobile Towers.

There is following provision in the **New Town Kolkata Building Rules, 2009 Rule-20(2)** note:

“Clearance for microwave system for telecommunication purpose in accordance with such rules or direction issued by or behalf of Govt. of India. No objection certificate from civil aviation authority shall have to be submitted for construction of building.”

There are two sets of guidelines-

- (a) One issued by **Department of Telecommunication, Government of India** and communicated by letter No. 497(3)-DS(IT)/P/50/2010 dated 17th December, 2014 of Department of Information Technology & Electronics, Government of West Bengal, i.e. –

Advisory Guideline (effective from 01-08-2013) for State Governments for Issue of clearance for installation of Mobile Towers **which deals with documents need to be submitted by Telecom Service Providers / Infrastructure providers** for obtaining clearance from local bodies / state Government for installation of mobile towers.

- (b) The other one was issued by **Department of Municipal Affairs, Government of West Bengal** by letter no. 406/MA/O/C-4/3R-9/2002 dated 4th September, 2013 where the permission for installation of Telecom Towers was **treated as sanction of building plan for Telecom Towers** and the **Urban Local Bodies were empowered to Charge onetime fee** (Rs.1.20 lakh in Kolkata Metropolitan Area and Rs.0.75 lakh in other areas) for such sanction.

Since in New Town, Kolkata, there is no urban local body and hence New town Kolkata Development Authority was created for the purpose of providing the civic services which are usually provided by Urban Local Bodies, these guidelines to be made applicable *mutatis mutandis* for this authority and based on these guideline, the following policy is framed.

The Policy of NKDA for Installation of Telecom Towers:

Application for installation of mobile towers shall be submitted by the Telecom Service Provider / Infrastructure Provider to NKDA and to be accompanied by following documents (Self attested).

Documents	Remarks
1. Copy of relevant license / Infrastructure provider Registration Certificate issued by Department of Telecommunications, Government of India.	
2. Data sheet:	In the specified Format - Annexure-A
3. Copy of SACFA (Standing Advisory Committee on Radio Frequency Allocation) clearance / copy of SACFA application for the said location submitted to WPC wing of DoT with registration number as WPC acknowledgement along with undertaking in case of any objection / rejection, TSPs / TPs will remove the tower.	
4. Self declaration on radiation: Acknowledgement receipt issued by TERM (Telecom Enforcement, Resource and Monitoring) 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 start radiating.	
5. Structural Stability Certificate:- <u>Ground Based Tower:</u> Copy of structural stability certificate from any authorized / enlisted structural engineer of state / NKDA/ Central Building Research Institute (CBRI), IIT / NIT / Jadavpur University / BESU, Shibpur <u>Roof Top Towers:</u> Copy of structural stability certificate for the building and tower from any authorized / enlisted structural engineer of state / NKDA/ Central Building Research Institute (CBRI), IIT / NIT Jadavpur University / BESU, Shibpur	
6. DG Set Test certificate: Copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the Diesel Generator (DG) sets.	If DG sets will not be used then a self declaration to that effect in specified format – Annexure-B
7. Clearance from fire safety Department: Copy of clearance from Fire Safety Department in case of Roof Top Towers on High Rise buildings where Fire Clearance is mandatory for such buildings.	If the building does not fall in this category then a self declaration to that effect in

	specified format. Annexure – C.
8. Clearance from Forest Department: For Forest protected areas, the copy of clearance from State Environment and Forest Department.	Since there is no such area in New Town, Kolkata, this is not required.
9. Land / Roof Top Permission: <u>In case of ground based towers:</u> Necessary document related to ownership of the land, if the land is not owned by the service provider / infrastructure provider, document related to authorization / NOC from the land owner for erection of Telecom Tower along with his ownership document. <u>In case of roof top towers:</u> (i) No Objection Certificate from the building owner / entities / tenants having roof top rights. (ii) In case of Co-operative Housing Societies, no objection from all members of the society / Chairman and secretary of the society. (iii) In case of housing complexes, no objection from president/secretary of the residents association / no objection from 75% of the flat owners. (This has not been mentioned in the guidelines)	
10. Clearance from Airport Authority of India: Though both guidelines are silent on this issue, considering the proximity of airport, it is proposed that, if the proposed tower heights are within the permissible limit as issued / will be issued by Air Port Authority of India (AAI) / by mentioning plot / in zone maps then no separate permission from AAI will need to be submitted to NKDA.	
11. One time fee: Rs.1.20 lakh (subject to such enhancement as will be made by the Government of West Bengal)	

Annexure-A

(Data Sheet)

1. Name of the service / Infrastructure provider: _____
2. Location (including premises no.): _____
3. Tower reference:
 - (a) Type: _____ Ground based / Roof Top / pole / wall mounted
 - (b) Height (from Ground level): _____ meter

 {Break up for roof top towers: Building height _____ meter, tower Height (from roof Top) _____ meter, Tower Height from Ground Level _____ meter}
 - (c) Weight: _____ Ton
 - (d) Number of Antennae: _____
4. Distance of nearest building / structure from the antenna (e) at the same height.

Distance in this case	Safe distance as prescribed by DoT, GoI

5. Name of the entity / i.e having required right on the land / building (strike out whichever is not applicable): _____

6. How and the applicant is authorized by the entity /i.e as mentioned in para '5' above to install the tower: _____

7. Name and other particulars of contact person:

Name & Designation	Official Address	Phone No.	Mobile Phone No.	e-mail id

Date: _____

Signature of the applicant

List of enclosure (all documents should be self attested):

Sl No.	Documents	Status (Submitted / Not Submitted / Not required)
1	Copy of relevant license / Infrastructure provider Registration Certificate issued by Department of Telecommunications, Government of India.	
2	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 in case of any objection / rejection, TSPs / TPs will remove the tower.	
3	Self declaration on radiation: 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 start radiating.	
4	Copy of structural stability certificate of tower and building (in case of roof top tower and of tower, in case of ground based tower from any authorized / enlisted structural engineer of state / NKDA/ Central Building Research Institute (CBRI), IIT / NIT/ Jadavpur University / BESU, Shibpur	
5	DG Set Test certificate:	

	Copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the Diesel Generator (DG) sets / DG sets will not be used then a self declaration to that effect in specified format – Annexure-B. (strike of whichever is not applicable)	
6	Clearance from fire safety Department: Copy of clearance from Fire Safety Department in case of Roof Top Towers on High Rise buildings where Fire Clearance is mandatory for such buildings.	
7	Land / Roof Top Permission: <u>In case of ground based towers:</u> Necessary document related to ownership of the land, if the land is not owned by the service provider / infrastructure provider / document related to authorization from the land owner for erection of Telecom Tower along with his ownership document. <u>In case of roof top towers:</u> (i) No Objection Certificate from the building owner / entities / tenants having roof top rights. (ii) In case of Co-operative Housing Societies, no objection from all members of the society / president and secretary of the society. (iii) In case of housing complexes no objection from president secretary of the residents association / no objection from 75% of the flat owners. (strike out whichever is not applicable)	
8	Clearance from Airport Authority of India: Though the guidelines are silent on maximum tower height / requirement of clearance from Airport Authority of India, considering the proximity of Airport, the permissible height prescribed for buildings may be considered for permissible height for towers measure from ground level and it is proposed that for tower height exceeding 30 meters (26 meters for zone at / near City Centre –II) clearance from Airport Authority need to be submitted.	

Declaration:

On behalf of the service provider / infrastructure provider, undertaking is hereby given that sanction accorded on the basis of these documents shall be cancelled at any point of time if it is found that any of these documents are not genuine and / or obtained fraudulently.

Date: _____

Signature of the applicant

Annexure-B

Declaration for not using DG set in telecom Tower

Ref: Our application dated _____ for installation of Telecom Tower

Undertaking is hereby given that no Diesel Generator (DG) set shall be used in the Telecom Tower at

_____.

If situation warrants use of DG sets at any point of time in future, copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of DG Set shall be submitted to NKDA prior to such use.

Date: _____

Signature of the applicant

Sanction of Building Plan for Telecom Tower i.e. Installation Permission of Telecom Tower

Sanction No: _____

Date: _____

To _____

_____ (Name
& Address of the Service Provider / Infrastructure provider)

Ref: Your application dated _____,

Sir,

As per your application as mentioned above, sanction is hereby accorded to install Telecom Tower at following location as per specification as detailed below.

Location with premises number	Type of Tower (Ground based / Roof Top / Pole / wall mounted)	Maximum Tower height From Ground Level (in meter)	Maximum number of antennae	Minimum distance of antennae at the same height from the nearest building / structure (in meter)	Maximum Weight of the tower (in Ton)

**Chief Architect
New Town Kolkata Development Authority**

Note:

- 1. This sanction is accorded on the basis of information and documents submitted by the applicant along with the application and detailed in the Data Sheet (Annexure-A of the application).*
- 2. This sanction shall be cancelled at any point of time it is found that any of those documents are not genuine and / or obtained fraudulently.*