

Jammu Municipal Corporation

Town Hall, Jammu.

GUIDELINES FOR INSTALLATION OF COMMUNICATION TOWERS

(As on 10.4.2016)

In supersession to all the previous orders issued by this office, the following guidelines shall be followed for according permission/License for installation of communication towers in areas falling within the Jurisdiction of Jammu Municipal Corporation. Tower shall include antenna fixtures, fabricated antenna, tower to install the telephone lines and transmission towers. This will not include the antennas installed for domestic purpose, namely Television Antennas or Dish Antennas.

1. **Application for Permission:** Only operator/Infrastructure Provider, duly registered with the Department of Telecommunications, shall apply to the Commissioner, Jammu Municipal Corporation, with the following documents:
 1. The approval document in favour of the concerned operator/Infrastructure provider by the Government of India to carry out its operations.
 2. Data sheet:
 - a) Name of the Service/ Infrastructure Provider
 - b) Location
 - c) Tower reference:
 - i) Height
 - ii) Weight
 - iii) Ground/Roof Top
 - iv) Pole/wall mounted
 - v) number of antennae
 - vi) Capacity of tower/ antenna in megawatt
 3. Copy of SACFA clearance/copy of SACFA application for the said location submitted to WPC wing of DoT with registration no. as WPC acknowledgement alongwith

undertaking that in case any objection/rejection, corrective actions/removal of the tower shall be affected.

4. Revenue documents namely tatima shajra/dasti khaka and latest girdawari duly attested by Naib Tehsildar/Tehsildar.
5. A copy of the agreement executed with the owner of the land/building along with proof of ownership.
6. Site plan in the scale of 1:200 and location plan 1:1000 duly certified by registered architect or draftsman licensed by JMC.
7. Drawing of tower with complete details including the specifications of foundations, height of the tower along with its elevation and other design parameters.
8. In case the tower is in the vicinity or adjoining to high or low tension line then its distance from the same shall be clearly indicated in the drawing and in case a high tension line is nearby the tower site, then NOC from Power development deptt, Govt of J&K needs to be attached.
9. NOC from Airport Authority of India, if the proposed tower site falls in the funnel zone of the Jammu airport.
10. Structural safety certificate of building and tower based on written approvals from any qualified structural engineer.
11. Document of the comprehensive insurance policy for all the structures to be constructed or raised on the site.
12. An undertaking that, the erection of the proposed tower does not cause any adverse effect to the health of the nearby residents and that the applicant shall take special precautions for fire safety and lightening and he shall be solely responsible for paying all kinds of compensation and damages and would be responsible for any civil or criminal case arising there from.
13. Indemnity Bond on a stamp paper of Rs.100/- duly attested by the competent authority:
 - a. Indemnifying JMC in case of any loss or injury due to accident caused by the tower.
 - b. Indemnifying JMC that in case a building is unauthorized or which may be so declared at a later point of time, the granting of permission for installation of tower on that building shall not imply any change whatsoever in the status of that building and shall be without prejudice to the right of the JMC to demolish the said building through due process of law. And that while taking up such demolition, JMC will not be under any obligation to send prior intimation to the owner of the tower, nor it will be liable for loss of tower as a consequence of demolition of the unauthorized building.

14. In case the mobile Tower is proposed to be installed in the residential area or in vicinity thereof, NOC from the owners of bordering/next door buildings.
15. If the tower site is within the 100 meters radius of a school or hospital, NOC from such school or hospital authorities as the case may be.
16. A copy of the public notice published in at least two leading daily newspapers inviting objections from general public to the proposed tower.
17. The operator shall be bound to submit any other document or certificate demanded by JMC, required to scrutinize the case.

1. Fee to be Charged

- i) Installation fee @ Rs. 100000/- and renewal fee @ Rs.20000/- per tower per annum shall be charged by the JMC.
- ii) The Installation/Renewal fee will increase by 25% after every 5 years of issuance of these guidelines.
- iii) An additional amount @60% shall be paid by the principal owner for every additional service provider who shares the same tower.

Guidelines to be followed by the Operators/Infrastructure providers

1. Identification of sites:-

Location of communication tower is governed by radio frequency system and cellular operators shall avoid residential areas for erection of the same. Order of priority for the selection of site shall be as follows:-

- i) All Municipal and other Government buildings except schools, hospitals and dispensaries.
- ii) Open or public areas away from residential locations.
- iii) Other non-residential buildings i.e. industrial, commercial and institutional buildings.
- iv) Vacant land after clearance from concerned authority.
- v) Where it is not possible to avoid the location of the tower in residential area, the same be located in open space or park.
- vi) Residential vacant or nearly vacant plot, leaving 3 meters setback all around.
- vii) Erection of tower in residential buildings shall only be allowed in those cases where no alternative is available and in such cases, Micro Cell based stations may be considered, in order to provide seamless un-interrupted mobile services.
- viii) The mobile towers shall be permitted to be installed only on buildings having occupation or completion certificate, sewerage connection, and electricity connection.

2. Sharing of Sites

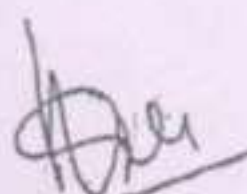
- i) To curtail multiplicity of towers as well as to optimize the use of the existing ones, the tower shall be shared by at-least three mobile operators; the same are however, required to adhere to the prescribed technical requirements.
 - ii) Only one approval will be granted to each tower. The primary operator shall be responsible for submitting the documents of all the sharing companies and shall ensure that they also fulfill the eligibility criteria and other conditions for installation of mobile towers.
2. Generator set installed at the tower site to cater to power requirements of the antenna shall conform to the noise and emission norms prescribed by Jammu and Kashmir Pollution Control Board.
 3. It shall be the responsibility of the operator to ensure that the buildings are structurally safe & sound and capable of taking a load of antenna as well as the pre-fabricated structure. That cell operator shall be solely responsible for any damage to the building and for public safety. The operator shall have comprehensive insurance policy at its own cost, which shall be mandatory for all the structures, which it will be putting and raising for installation of mobile tower.
 4. The distance of tower from electric line or pole or tower thereof shall not be less than height of tower plus requisite distance from respective high tension or low tension line.
 5. The operator shall ensure to prohibit the access to base station antenna sites for general public by suitable means such as wire fencing, locking of the door to the roof etc. Access to tower site even for maintenance personnel should be for a minimum period as far as possible.
 6. Sign boards/Warning signs are to be provided at Base Station Antenna sites which should be clearly visible and identifiable. A warning sign should be placed at the entrance of such zone.
 7. The operators, who have erected cell tower without permission, shall apply to JMC for regularization within 30 days of issuance of this policy. In case of non-compliance, action for removal of cell towers shall be initiated as per law in addition to the penalty @ Rs. 50000 per tower, so removed.
 8. The Operator shall display on board (minimum size 24x48) at conspicuous space of the building at Ground Floor, the following details:
 - i) Operators name & Address
 - ii) Contact person's name, address & telephone no.
 - iii) Grievance redressal cell of JMC: 0191-2520448, 2520428
 - iv) Police Control Room: 100
 - v) Fire Control Room: 101, 132, 2476407

- vi) Ambulance: 102, 2543739
- vii) Details of insurance policy
- viii) Other important information, if any

9. In case of any complaint against such tower construction, the same shall be referred to the Commissioner JMC. It can also be uploaded on our website (<http://www.jmcjammu.org>) or through our official mobile app.
10. Any Electromagnetic Field (EMF)/radiations related complaints shall be referred to the Telecom Enforcement, Resource and Monitoring (TERM) cells of Department of Telecommunication, Govt. of India.
11. Annual periodic report shall be submitted by the operator about the safety of building and the installation.
12. Company shall be liable to pay all taxes, fees, charges etc. that may be levied by any authority from time to time.
13. In case of violation of any terms and conditions, permission granted can be withdrawn or cancelled at any time. However, before withdrawing/cancellation of permission, an opportunity, to the operator company shall be provided.
14. The erection of tower shall be completed within 3 months from the grant of permission and report of such erection to be made to the JMC.
15. The officials of Jammu Municipal Corporation shall have the right to inspect the site at all times without any prior notice.
16. Revised guidelines shall be prepared from time to time keeping in mind the international standards and technology.

Deemed Approval

A final decision shall be taken within 30 days from the date of submission of all the documents. In case the applications submitted for permission are complete in all respects and decision is not conveyed within 30 days, deemed permission shall be assumed, provided that the same is in accordance with the prescribed Rules.


Mandeep Kaur, IAS
Commissioner

Municipal Corporation
Jammu