Office Memorandum

Subject: Guidelines for Issue of Clearance for Installation of New Telecommunication Mobile Towers.

Whereas Telecom connectivity has admittedly become the most crucial infrastructure for transparency and speed in governance, development, security, concurrent monitoring and all the rest, and the only means to overcome the geo-climatic obstacles to communications in the State.

Whereas it needs to be appreciated that high quality and high uptime of connectivity is not only required for common man, tourists from outside the region, governments in general for their day to day functioning, but also for strategic requirements of home, defence, disaster management.

And whereas taking cognizance for the need to ensure safety standard and norms to regulate the installation of Mobile Tower, the Ministry of Communication and IT, Department of Telecommunication, has issue Advisory Guidelines dated 01.08.2013.

And whereas the Department of IT & Communication is the Nodal Department for matters relating to Telecommunication in the State.

Now, therefore, in pursuance of the above, a regulation to exercise control over installation and operation of structures for Cellular Telecom Tower on roof top/ground Level or various premises falling in the area under the jurisdiction of the State of Nagaland under the Telecom Circle of North East Circle-2, is hereby notified stipulating a set of guidelines to be complied with, at the time of installation of mobile towers within the territorial jurisdiction of Nagaland.

The Adopted Guidelines shall be strictly implemented by all the Clearance Certifying Authorities and Telecommunication Service Providers.

The Guideline may also be downloaded from State Portal http://www.Nagaland.gov.in.

Enclosed: Copy of Guidelines.

Sd/- Alemtemshi Jamir, IAS
Chief Secretary to the Government of Nagaland
Dated Kohima, the 30th January 2014

Copy to:
1. The OSD to the Hon'ble Chief Minister, Nagaland.
2. The PS to the Parliamentary Secretary, IT&C, Nagaland.
3. The OSD to the Chief Secretary, Nagaland.
4. All AHODs/HODs for information.
5. All Deputy Commissioners for necessary action.
6. The DDG, TERM CELL, Dimapur, Ministry of IT & Communication, Department of Telecom.
7. All Telecom Service Providers for strict compliance.
8. The Editor, Nagaland Gazette, for early publication.

(K.T.SUKHALU), IAS
Commissioner & Secretary to the Government of Nagaland
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1. Applicability:

These regulations shall apply to the whole of the State of Nagaland and shall be implemented by all the Telecom Service Providers, Municipal Councils and other designated Bodies/ Areas, Authorities in district, blocks and village levels empowered to give plan approval of buildings within their jurisdiction. These regulations will be applicable to all existing/ proposed telecom towers installed/ to be installed.

2. Approving Authority

The Competent Authority for granting the permission of installation of mobile towers shall be the Deputy Commissioner of the concerned District.

3. Location and permissibility:

To ensure public safety, environmental and health impacts, the permission for installation of towers shall be given as per priority listed below:

I. First preference shall be given to the location of tower in the Forest areas.
II. Second preference shall be given to the location of tower in the open or public areas away from residential locations.
III. Where it is not possible to avoid the location of the tower in residential area, the same shall be located in open space or park, with prior consent of owners of adjoining residential houses.
IV. The Telecom Service Providers shall ensure that the system laid or the infrastructure created at all times conforms to the EMF radiation Norms as prescribed by Department of Telecommunications (DoT), GOI or Telecommunication Regulatory Authority of India (TRAI) as the case may be from time to time, to reduce the possible impact of EMF radiation on human health.

4. Restrictions:

The permission to install telecom tower shall not be given in cases where the proposal is submitted for construction/erection:

I. Within 300 meters radius of a monument declared by Archaeological Survey of India
II. Within 100 meters radius from a high security zone/building, etc.
III. Within the Restricted Zone / Air Funnel Zone near the airport, unless otherwise necessary clearance from the concerned Air Traffic Controller, Airport Authority is obtained
IV. 100m radius from the educational and health care institutional buildings
V. On buildings which are unauthorized and structurally unsafe.

5. Installations of ancillary equipment’s:

I. In order to avoid any eventuality due to thunder storm, lightning conductors/ arresters have to be installed.
II. Diesel Generator set installed at the tower site to cater to the power requirements of the antenna shall confirm to the noise and emission norms prescribed by the State Pollution Control Board.
III. Aviation Lamps should be mandatory on the top of the pole for safety of aircrafts.

6. Sharing of Sites:

The Telecom Operators may share the towers for fixing their respective antennas. The same are however, required to adhere to the prescribed technical requirements, so as to curtail multiplicity of towers as well as to optimize the use of the existing ones.

7. Documents required for getting permission:

All applications shall be made to the District Administration by the Telecom Service Provider through an authorized structural engineer/firm. The Application to the District Administration shall be made along with the following documents.

I. Copy of relevant license / Infrastructure Provider Registration Certificate from Department of Telecommunications.

II. Data Sheet
   a) Name of Service/Infrastructure Provider
   b) Location
   c) Tower Reference:
      i) Height, ii) Weight iii) Ground/Roof Top iv) Pole/wall mounted v) Number of antennae

III. 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 that in case of any objection/ rejection, TSPs/ IPs will take corrective actions / remove the tower.

IV. Copy of structural stability certificate for ground based tower. In case of roof top BTS towers, structural stability certificate for the building and tower based on written approvals of any
authorized Structural Engineer of state/local bodies/ or any other agency authorized by local body.

V. Copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the Diesel Generator (DG) Sets.

VI. Copy of clearance from Fire Safety Department only in case for high rise buildings where Fire Clearance is mandatory.

VII. For forest protected areas, the copy of clearance from State Environment & Forest Department, if applicable.

VIII. Copy of NOC from Airport Authority of India, wherever required.

IX. 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. As per their rules in force, State Governments, at their discretion, may seek fresh NOC at the time of renewal of site (tenancy) contract for mobile tower.

X. Lease Agreement Deed / Consent Agreement deed -One copy (attested) signed by the applicant and the owner of the site / building.

XI. 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 starts radiating.

XII. Processing/administrative Fees and Permit Fees as fixed by the Government from time to time for Installation of Telecom Infrastructure Towers.

XIII. NOC from Local Bodies (Village Council/ Panchayat / Municipal Council/ Town Council) of the proposed location/ward/area of the Proposed Telecom Tower to be installed/erected.

8. **Procedure for obtaining Permission:**

I. **Submission of application form**

The application shall be made by the service provider in the prescribed application form along with documents required (as specified in **Annexure-A**).
   a. All required documents (mentioned above at 7) shall be signed and certified by an authorized structural engineer appointed by the service provider or any govt recognised engineer/Firm.
   b. The Service Provider should also submit an application for getting power connectivity in the proposed tower through the **State Power Department**. The State Power Department should not take more than 60 Days (2 months) to give connectivity at the site after submission of detailed fees.
   c. The application along with the documents and required processing fee shall be deposited to the concerned District Deputy Commissioner’s Office as per the notification by State Government from time to time.
II. Scrutiny and Disposal of Application:

a. The Sanctioning Authority shall issue or refuse the permit, not later than 30 days from the date of receipt of application along with the plans and documents. In case of refusal, the reasons for the same shall be clearly mentioned.

b. The entire structure erection/installation with necessary equipment’s and accessories should be completed within one year from the date of issue of such permit.

c. The sanctioning authority after scrutinising the application, if satisfied, shall issue Provisional permit for erection of Telecom Towers, as per Annexure B.

III. Completion Certificate:

a. After completion of the work of the telecommunication tower or pole structure and accessory rooms as per permit, the applicant and the engineer shall submit to the Sanctioning Authority completion certificate as in Annexure-C.

b. The Sanctioning Authority shall, if satisfied that the work has been completed as per permit, issue use certificate as in Annexure-D allotting a number.

9. Fee for granting Permission:

After approval of the application received, the District administration/authority will intimate the service provider for depositing the requisite fees for grant of permission. The said fees shall be decided by the State Government from time to time as mentioned in ANNEXURE-E.

10. Validity of permission issued:

The permission issued in favour of the service provider will be valid for a period of 3 Years from the date of issue.

11. Renewal of Permission:

The renewal of ‘permission’ shall be done on submission of prescribed application (ANNEXURE-A) before one month of expiry of the permission with all required documents & renewal fees as stipulated by the government. The concerned Authority shall sanction the same within 15 days of receipt of application but in no case later than the expiry of the permission issued.

12. Withdrawal for permission

The permission shall stand cancelled/ withdrawn under the following circumstance:-

I. The permission granted can be cancelled/ withdrawn at any time, if the public interest warrants so, at any time, giving one month notice to the concerned.

II. In case of any violation of the aforementioned directions by the mobile tower companies, the permission shall be cancelled and the competent authority shall take all possible steps to remove such mobile towers with the help of police authorities and district administration.
III. If permission for installation of telecom towers is granted on buildings, which may be declared as unauthorized at a later point of time, the Deputy Commissioner shall withdraw permission and issue notice for closure and shifting of the tower with immediate effect.

13. **Damage and Liability**

If any damage is caused to any person or property because of the tower, machine room, battery equipment etc., erected by the operator, the operator shall be solely responsible for paying all kinds of compensations and damages to the concerned and will be liable to face any civil or criminal case there from.

14. **Precautions to be taken by the service provider:**

I. Installation of Base Station Antennas in narrow lanes shall be avoided in order to reduce the risks caused by any earth quake or wind related disaster.

II. Access to Base Station Antenna sites shall be prohibited for general public by suitable means such as wire fencing, locking of the door to the roof etc.

III. Access to tower site, even for the maintenance personnel, shall be for a minimum period as far as practicable.

IV. Sign boards/Warning Signs are to be affixed/attached at Base Station Antenna sites which shall be clearly visible and identifiable. A warning sign shall be placed at the entrance of such zone.

V. The “Warning Sign” shall discourage longer stay in the zone, even for the maintenance personnel. The sign board may contain the following text: Danger! RF radiations do not enter! Restricted Area.

15. **Public Grievance Cell:**

In order to effectively address **Public Grievances** relating to installation of towers and issues related to telecom infrastructure, the following Committee shall be setup:

I. **State Level Telecom Committee (STC):**

   The Joint Co-ordination committee for Telecom in the State constituted vide No.ITC/14-1/10, 24/9/2012 shall act as the State Level Telecom Committee (STC).

II. **District Level Telecom Committee (DTC):**

   The Deputy Commissioner of Concerned District is requested to constitute District Level Telecom Committee (DTC) consisting of officers from District Administration, representative(s) of concerned Telecom Service Provider(s) and eminent public persons etc
ANNEXURE - A

APPLICATION FORM FOR INSTALLATION OF ANY TYPE OF MOBILE TOWERS IN NAGALAND

Date........................................ Location........................................

To,

The Deputy Commissioner,

........................................

........................................

1. **Company Details:**
   
a. Name of the Company/Service Provider ....................................................
   
   b. Address of Registered Office/Head office....................................................
   
   c. Address for Local Correspondence..............................................................
   
   d. Authorized Person with designation............................................................

2. **DoT License Details**
   
a. License No & date: ....................................................
   
   b. Validity: From ...................... to............................
   
   c. Name of Local Body/Authority to whom to apply: ........................................
   
   d. Location of proposed Tower: ........................................................................
   
   e. Location details:
   
      i. Open Space.................................
   
      ii. Adjacent to building.................
   
      iii. Roof Top................................
   
   Plot details:

      (a) Land size............... (b) Plot No..............
   
      (c) Khata No............ (d) Ward No.......... 

      (e) Mouza............... (f) Dist.................

6. **Ownership details (Land/Building):**

   Agreement No. ........ Date..........................
   
   Copy of lease deed/purchase records furnished: Yes/No

7. **Tower Height and type of Station (BTS/BSC):**

   a. Ground Based.............................. b. Rooftop.................................

8. **List of Documents required:**

   a. Copy of the license & Articles of association
b. Copy of Agreement between the Company and the house/land owner  
c. One copy of approved plan of building  
d. Four copies of the plan of the structure and building site plan  
e. Structural stability certificate from registered structural engineer/registered firms in respect of the proposed building for the tower erection.  
f. Certificate from the State Pollution Control Board.  
g. NOC from the owners of the residential buildings/plotted houses/ RWA/Society  
h. NOC from Local Airport Authority wherever required  
i. NOC from local body (Vill Chairman/Panchayat chairman/Town Chairman) of the locality/area/ward where proposed tower is to be erected.  
j. Any other certificates/NOC required by the authority from time to time  
k. Processing fee payment slip/details

Declaration:

Certified that all the information/documents furnished above are authenticated and true to best of my knowledge.

Signature of the Authorized Person with seal  
Designation........................................

Date: .................... Place: ....................
ANNEXURE - B

PROVISIONAL PERMIT FOR ERECTION/INSTALLATION OF TELECOM TOWER

Date: ...................................

To,

...........................................................................................................
...........................................................................................................

After verifying all the documents submitted with the application form, and found to be as per requirement, permission for erection/installation of telecom tower at the aforesaid location is granted permission for starting the work.

This permit is valid for a period of 12 (twelve) months from the date of issue of this permission.

| 1. Name of the Owner/lease/Firm : |
| 2. Location of the site/building where tower is erected : |
| 3. Details of the proposed Mobile Telecom Tower : |
|   i. Date of issue of permit for erection/installation: |
|   ii. Due date for completion: |
|   iii. Proposed Tower Type: |
| Name and address of the firm/lease/authorised Agency/Operator? |

Authorised Signatory

Deputy Commissioner

.............................................................................................................
ANNEXURE-C

COMPLETION CERTIFICATE

Date: ..........................  Place: ..........................

To,

The Deputy Commissioner

...........................................

.........................................

Sub : Notice of Completion of Mobile Telecom Tower

Sir,

I/ We hereby give notice that the erection of the MOBILE TELECOM TOWER has been completed as Sanctioned Plan. The work has been completed to my/our best satisfaction as per the workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specifications. The Tower is fit for which it has been developed and it is fit for use for which it has been erected.

The necessary Use Certificate may be issued for commissioned the tower.

1. Name of the Owner/lease/Firm :

2. Location of the site/building where tower is erected :

3. Details of the completed Mobile Telecom Tower : (Additional sheets/doc can be attached for reference wherever necessary)

   i. Date of completion/submission of completion certificate:
   
   ii. Due date for completion:
   
   iii. Proposed Tower Type:
   
   iv. Whether completed within stipulated time? Yes/ No

4. Name of the Structural Engineer/Firm/Infrastructure company in charge of the site with contact details and official address?

5. Name and address of the firm/lease/authorised Agency/Operator?

Authorised Signature
with Seal & Designation
To,

..............................................
..............................................

The Owners/Firm/Lessee/Structural Engineer have given the Mobile Telecom Tower Completion Notice that the Tower has been erected as per the specifications of Sanctioned Plans and it is structurally safe for use and also adheres to all norms and regulation as laid down by TRAI/TERM cell. Accordingly it is declared fit for use.

Certified that the details of the docs submitted by the operator/firm is verified and found to be completed as per requirement standard and within the stipulated time.

The operator can thus start operating the tower from the date of issue of this permission.

### 1. Name of the Owner/lease/Firm :

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### 2. Location of the site/building where tower is erected :

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### 3. Details of the completed Mobile Telecom Tower :

| i. Date of submission of complete certificate submitted |
|---|---|
|   |   |

| ii. Due date for completion: |
|---|---|
|   |   |

| iii. Proposed Tower Type: |
|---|---|
|   |   |

| iv. Whether completed within stipulated time? Yes/ No |
|---|---|
|   |   |

### 4. Name and address of the firm/lease/authorised Agency/Operator of the tower?

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Certified that the details of the docs submitted by the operator/firm is verified and found to be completed as per requirement standard and within the stipulated time.

Authorised Signatory

Deputy Commissioner

..............................................
..............................................
## ADMINISTRATIVE/PROCESSING FEE

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<th>S.no</th>
<th>Area/Location Classification</th>
<th>Amount (INR)</th>
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<tbody>
<tr>
<td>1</td>
<td>Urban</td>
<td>Rs.25000.00 (Twenty five thousand) Only</td>
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<tr>
<td>2</td>
<td>Local</td>
<td>Rs.30000.00 (Thirty thousand) Only</td>
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