

Notifications and Orders

(128) Directions regarding installation of mobile or wireless telephone towers on/in non-residential institutional premises - In exercise of the powers conferred under section 4 of the Capital of Punjab (Development and Regulation) Act, 1952, the Chief Administrator, Union Territory, Chandigarh, issues the following directions regarding installation of mobile or wireless telephone towers on/in non residential institutional premises owned by the Chandigarh Administration and its undertakings including Semi-Government Organisations and its Autonomous Bodies. The installation of towers shall be subject to following terms and conditions:—

1. Mobile or wire-less telephone towers shall only be allowed on non- residential buildings of the Chandigarh Administration.
2. The towers shall be shared by at-least three mobile companies and the Cellular Operator (hereinafter called operator) shall put up mono-pole towers on/in the institutional premises. AU the three operators shall obtain separate permission from the Administration after obtaining the consent of the company which has erected the tower on such terms and conditions which the Administration may decide on case to case basis.
3. Total height of the pole from ground zero shall not exceed 30 mtrs. if it is coming on the rooftop of the building, the height of the building shall be reduced by permissible 30 mtrs.
4. The size of generator room shall be 11.49 mtrs. x 7.06 mtrs. including the area of pole and shelter room and its components. The generator shall be noiseless and shall conform to all norms fixed by environmental laws and guidelines.
5. The final permission for installation of towers shall be granted by the Single Window Committee headed by the Finance Secretary and consisting of Estate Officer, Chief Engineer, Chief Architect, Chief Fire Officer/MC and head of the office of the concerned building.
6. Any operator, duly approved to carry out its operations by the Government of India, snail apply to Chief Architect, U.T., Chandigarh with all required relevant documents and undertakings. The Chief Architect shall circulate the request to all concerned members of the Single Window Committee for their report within 10 days failing which it shall be presumed that they have no comments to offer and the matter will be placed before the Finance Secretary by Chief Architect for placing it before Single Window Committee.
7. The Single Window Committee shall be competent to lay down various guidelines as deemed appropriate from time to time.
8. After approval of the Single Window Committee, the application will be sent to the Plan Approval Committee for issuance of formal orders and consequent to that the Assistant Estate Officer, U.T., Chandigarh (hereinafter called the Lessor) will sign the rent deed on behalf of the Chandigarh Administration for a period of 5 years and can be subsequently extended in future for 3 years each on such terms and conditions which shall be decided by the Administration at the time of every renewal.
9. The site shall be used only for setting up the towers and generator room. No commercial activity at site shall be permitted,
10. The rent/lease money to be paid by the person/company which will get the permission to erect the pole if the person/company, who has put the tower fails to pay the lease money to the Administration within 15 days from the expiry of the due date, the Administration shall be free to disconnect the essential services to the tower and remove the pole without giving any prior notice. The rent will be prescribed on

case to case basis by the Finance Department because there cannot be a fixed rent as the areas and location will keep on varying. The rent shall increase by 5% every year.

11. Apart from the person who gets the permission to erect the pole, nil other operators who will use the pole shall also have to take separate permission from the Administration after obtaining the consent of the company, which has erected the tower on such terms and conditions which the Administration may decide on case to case basis,

12. Whatever taxes, levies etc, which are leviable by any Government or by any statutory authority, shall be payable by the operator.

13. The operator allowed the use of space for the tower shall abide by all building bye-laws and such other laws governing use of space and erection of tower as applicable from time to time in Chandigarh. In addition, the Chief Administrator, Chandigarh shall be competent to issue any such directions as deemed fit which the operator shall abide. The operator shall have comprehensive insurance policy at its own cost for all such structure which they will be putting and raising and by any circumstances if any damage is caused to any person or property because of the tower, machine room, generator room etc. erected by the operator. The operator shall be solely responsible for paying all kinds of compensation and damages and shall be solely responsible for any civil or criminal case arising there from.

(See Chandigarh Administration Gazette, (Extra.) dt. 5.6.2008 at page 707)