

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

STARRED QUESTION NO:366

ANSWERED ON:06.12.2010

INSTALLATION OF MOBILE TOWERS

Nirupam Shri Sanjay Brijkishorilal ;Pakirappa Shri S.

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the Government has issued any instructions to the telecom companies regarding installation of mobile towers in the country;
- (b) if so, the details thereof alongwith the regulatory mechanism in this regard;
- (c) whether the Government has received complaints regarding violation of the rules regarding installing mobile towers in residential/non-residential areas in the country;
- (d) if so, the details thereof, State-wise; and
- (e) the action taken/being taken by the Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT, SCIENCE AND TECHNOLOGY AND EARTH SCIENCES AND COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF THE LOK SABHA IN RESPECT OF PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 366 FOR 6TH DECEMBER, 2010 REGARDING "INSTALLATION OF MOBILE TOWERS"

(a) & (b) Madam, Mobile Towers are being installed by the Telecom Service Providers and Infrastructure Providers Category-I based on their Radio Frequency Network Planning and after obtaining siting clearances from Wireless Planning and Coordination (WPC) Wing of Department of Telecommunications (DoT). WPC issues siting clearance for installation of mobile towers for each and every site from the point of view of interference with other wireless users, aviation hazards and obstruction to any other existing microwave links. The siting clearance is issued without prejudice to applicable byelaws, rules and regulation of local bodies such as Municipal Corporation/ Gram Panchayat etc.

Further, as per terms and conditions of Unified Access Service license, the licensee is required to ensure that the telecommunication installation carried out by it should not become a safety hazard and is not in contravention of any statute, rule or regulation and public policy.

Accordingly, before installation of towers, Service providers are required to obtain necessary clearances from concerned Municipal Authorities/local bodies, wherever required. State Governments/Municipal Authorities have formulated their own policy for grant of permission for installation of mobile towers stipulating structural safety norms and levy/fees etc.

However, instruction have been issued DoT vide letter dated 8th April, 2010 to all the Access Service Providers regarding implementation of radiation norms as prescribed by International Commission on Non Ionizing Radiation Protection (ICNIRP) on Electro Magnetic Field exposure by Base Transceiver Station (BTS).

(c) to (e) No complaints have been reported with respect to violation of siting clearances of mobile towers. However, there are 19 cases pending in various High Court filed by individuals / organizations against instillation of mobile towers on various grounds such as radiation hazards, health hazards, pollution etc.

To keep a check on radiation from mobile towers instructions have been issued by DoT to all the mobile operator vide letter dated 8.4.2010, which inter-alia states that:

(i) All Base Station Transceivers (BTSs) should be self certified as meeting the radiation norms. Self certification is to be submitted to respective Telecom Enforcement Resource & Monitoring (TERM) Cells of DoT by 15.11.2010.

(ii) All new BTS sites should start radiating only after self certificate has been submitted to relevant TERM Cells.

(iii) The TERM Cell will test upto 10 per cent of new BTS sites randomly at its discretion. Additionally, BTS sites against which there

are public complaints shall also be tested by TERM Cell.

(iv) If a site fails to meet the Electro Magnetic Radiation criterion, a penalty of Rs. 5 lakh shall be levied per BTS per service provider. Service providers must meet the criterion within one month of the report of TERM Cell in such cases, after which site will be shut down