

GOVERNMENT OF WEST BENGAL
Department of Urban Development & municipal Affairs
“Nagarayan”, 6th Floor,
DF-8, Sector-I, Salt Lake, Kolkata : 700 064

No. 894 /MA/O/C-4/1M-31/2015 (Pt-IV)

Date :19th.October,2020

ORDER

Sub: Issuance of permission by the Urban Local Bodies for the purpose of construction/erection of ground based or roof based mobile towers barring lattice tower or any kind of tower carrying high voltage electric power line , on site(s) under jurisdiction of Urban Local Bodies.

WHEREAS, Rule 24(3) of the West Bengal Municipal Building Rules ,2007 (as amended) provides that prior permission from the Urban Local Bodies of the State, guided by either the West Bengal Municipal Act,1993 or the West Bengal Municipal Corporation Act,2006 , shall have to be taken by every person seeking construction/erection of a mobile tower on any site under the jurisdiction of any Urban Local Body, on the payment of requisite fees;

AND WHEREAS, obtaining permission from the Executive Officer in case of Municipality/NAA or from the Commissioner in case of Municipal Corporation for such construction/erection of mobile tower on any site under the jurisdiction of concerned Urban Local Body , is mandatory;

AND WHEREAS, every person seeking construction/erection of mobile tower on any site under the jurisdiction of the concerned Urban Local Body, shall have to apply for a permission to the Executive Officer in case of a Municipality/NAA or to the Commissioner in case of a Municipal Corporation in a specified format;

AND WHEREAS, the Executive Officer in case of a Municipality/NAA or the Commissioner in case of a Municipal Corporation shall after making such inspection as may be necessary and within 15 (fifteen) days from the date of receipt of application, either grant on payment of such fee as may be determined by the Municipality/Corporation by regulation , or cancel, as the case may be,

AND WHEREAS, the validity of such permission of the Municipality / NAA or the Municipal Corporation shall remain valid for one year;

AND WHEREAS, it is expedient to frame a uniform guideline for the Urban Local Body of the State, either guided by the West Bengal Municipal Act, 1993 or the West Bengal Municipal Corporation Act, 2006 , for issuance of the permission for the construction/erection of a ground

based or roof based mobile tower barring lattice tower or any kind of tower carrying high voltage electric power line;

AND WHEREAS, the State Govt. is under compulsion to create and develop one Web Portal for obtaining permission for construction/erection of ground based/roof based mobile tower on any site under the jurisdiction of Urban Local Bodies; online deposit of requisite fees, online tracking of the status of the application etc., to implement the business reforms at the State level under the Ease of Doing Business (EoDB) as per the instruction of the Department of Expenditure, Govt. of India;

NOW, THEREFORE, the Government in the Urban Development & Municipal Affairs Department lays down the following guideline for guidance of the Urban Local Bodies of the State for issuance of permission for the construction/erection of ground based/roof based mobile tower in any site under the jurisdiction of Urban Local Bodies and also for the sake of uniformity, transparency in the process and time bound delivery of services:

- 01) To obtain permission from the respective Urban Local Body, the applicant shall have to apply to the appropriate authority in the prescribed format (**Annexure-A**). The format should be filled up properly; else it will be treated as rejected due to absence of any data or documents.
- 02) The drawing(s) showing the location of tower (site/location plan) with latitude and longitude with every detailing to be vetted by the Telecom Regulatory Authority of India (TRAI) and NOCs from all relevant departments/authorities along with structural stability certificate of the tower (for ground based tower) or structural stability certificate of both the tower and building (for roof based tower) from the empanelled Geo Technical Engineer –I and Structural Engineer-I should be annexed with the application form. If overall height of the structure is above 25 meter, then the Structural Reviewer should be engaged along with the Structural Engineer-I. All the drawings must be prepared following the West Bengal Municipal Building Rules, 2007 (as amended) and guideline/directives of TRAI, if any;
- 03) After submission of application, the concerned ULB authority shall check the relevant documents, NOC(s) and drawing(s). After scrutiny of all documents the authority shall arrange for joint inspection in presence of ULB (all relevant sections), the site engineer of the executing authority and representative(s) of NOC(s) issuing Department(s) within next 7(seven) working days.
- 04) The Joint inspection report shall be uploaded within next 2(two) working days. The joint inspection report(s) with all relevant documents shall be placed before the appropriate

- authority of the ULB for approval within next 3(three) working days of the date of the inspection.
- 05) If the authority approves the proposal the demand of permission fees shall be sent to the applicant within next 2(two) working days . On successful payment of demand of the permission fees as per Rule 24(3) of the West Bengal Municipal Building Rule, 2007 (as amended), a permission in the prescribed format (**Annexure B**) will be issued in favor of the applicant within next 3(three) working days.
 - 06) The rejected proposal shall be returned to the applicant by the ULB showing definite reasons within 15(fifteen) days of the submission of the application in **Annexure C**.
 - 07) The fees structure will be as follows:
 - i) **Rs.2.00 lacs for each tower** for the ULBs within KMA area except Kolkata Municipal Corporation and Howrah Municipal Corporation.
 - ii) **Rs.1.50 lakhs** for each tower for the Non-KMA ULBs
 - 08) The implementing authority must follow the approved drawing(s) during implementation. Under any circumstances the construction activities should not be deviated from the approved drawing else municipal authority has every right to stop the construction work. Any deviation from the approved drawing(s) requires fresh approval.
 - 09) ULB concerned shall issue instructions to the applicant regarding safety and security purposes viz. a) barricading, b) arrangement of proper illumination and reflectors during night service, c) during construction work Geotechnical Engineer-I, Structural Engineer-I, Structural Reviewer (if any) must be present on regular basis, d) Inspection of Engineers/ Officers of TRAI on time to time basis should be maintained etc. to follow those strictly otherwise the ULB will intervene to stop the work at site.
 - 10) The applicant (implementing agency) must be well alert during the construction regarding existing structures, utility services etc. For any type of damage of existing utility services, existing structure(s) and for any danger to human life, the applicant (implementing agency) shall be solely responsible in all respect and appropriate measures on immediate basis must be taken by the applicant (implementing agency) on its own cost and involvement.
 - 11) After completion of construction work , it is the sole responsibility of the applicant to take the necessary measures to free the site from construction materials, rubbish, debris, excavated earth or any other hazardous materials so that the site(s) should be useable, safe and secured.

This Order shall take immediate effect.

By order of the Governor,

Sd/-
Joint Secretary to the
Government of West Bengal

[Annexure – A]
APPLICATION FORM

Ref No.

Date:

From: (Project Implementing Authority)

.....

(Name and address of the applicant with post held by him/her
in the implementation authority, contact mobile no. & e-mail ID)

To: The Commissioner/Chairperson/Chairperson of the Board of Administrators,

..... Municipal Corporation/Municipality/NAA

Sub: Prayer for Permission on Construction/ Erection of Ground based or Roof based Mobile Tower
for (Name of Project) in the
..... (Name of work site with latitude & longitude) within Ward
No. & Borough No. (if any)

Sir/Madam,

I/We on behalf of my/our organization would like to inform you that we would undertake the
work of Construction/ Erection of Ground based or Roof based Mobile Tower for
..... (Name of the work) in your municipal area
with an aim to provide (Purpose of the work). The
statements of the particulars of the proposed work are as follows:

1. Name and type of the proposed construction work:
2. Owners details for Roof based Mobile Tower:
3. GIS reference of the location of Tower:
4. Ward Number:
5. Borough Number, if any:
6. Premises No./ Holding No.:
7. Area of the Plot/ Roof top in Sq meter:
8. Ground coverage/ area covered by Tower base in Sq meter :
9. Proposed height of Tower in meter:
10. Total volume of Tower in Cub. Meter :
11. Proposed date of commencement of work:
12. Proposed date of completion of work:
13. I/We attach the approved drawings of Site plan/ Roof plan of the area where the tower
proposed to be constructed.
14. I/We attach the General Arrangement Drawing and Structural Drawing(s) of the proposed
tower together with a specification of the work duly signed by the empanelled Geotechnical
Engineer Class – I, Structural Engineer Class – I and Structural Reviewer (if required).

15. Reports of soil test with test for stability of slope (as and when required) from any reputed technical Organisation/ Institution.
16. Detailed calculation of structural design as per provision in rules duly signed by the empanelled Structural Engineer Class – I and Geotechnical Engineer Class – I.
17. Up to date paid up Municipal Tax receipt
18. Clearance certificate/application copy from U.L.C. Branch of Urban Development Department Government of West Bengal (if applicable)
19. No objection of TRAI, West Bengal Fire and Emergency Services Dept. and all other relevant Dept.
20. Combined Affidavits and Undertakings (for indemnity Bond, common passage and power of Attorney).
21. Copy of Deed and Deed plan for ground based tower and copy of the possession certificate in case of the roof top tower.
22. Sanctioned building plan of existing building along with the structural fit certificate from empanelled Structural Engineer Class – I and Geotechnical Engineer Class – I in case of Roof based Mobile Tower.
23. I/we attach the duly signed Bar diagram showing the construction phases, type & quantity of construction material to be stacked with respect to time schedule.
24. I/we hereby undertake that:-
 - a) I/we shall strictly follow the drawing and time schedule duly approved by the Municipal Authority. Under no circumstances, the field activities will be violated from the approved drawing and time schedule. Otherwise the municipal authority shall be at liberty to take every step to stop the construction work and may ask for fresh approval.
 - b) I/we shall abide by all the instructions of the ULB authority regarding safety and security of the worksite.
 - c) I/we shall be well alert and careful during the construction at field regarding existing structure or any utility services. For any type of damage of existing structure or services, we shall be responsible and the damages if any shall be restored properly on immediate basis by our own cost and involvement.
 - d) I/we shall take special care with regard to the safety of the human life.
 - e) I/we shall take all necessary measures to free the site from stored/stacked construction materials, rubbish, debris, excavated earth or any other hazardous materials so that the site should be useable, safe and secured, immediately after completion of the construction work.

Please provide necessary permission to execute the said work at your earliest convenience.

Thanking you.

*Please note that I/we am/are also enclosing herewith the necessary documents as per requirement.

Yours faithfully,

.....
 (Signature and seal of the authorised signatory
 of the implementing authority) (applicant)

.....
 (Signature and seal of the Engineer-in-charge of the site of
 the implementing authority with Name, contact number etc.)

Certificate of Permission for Construction/ Erection of Ground based or Roof based Mobile Tower

From: The Commissioner/Chairperson/Chairperson of the Board of Administrators/ Executive Officer
..... Municipal Corporation/Municipality/NAA

To:
.....
.....
(Name and Address of the Applicant)

Sub: Permission for Construction/ Erection of Ground based or Roof based Mobile Tower for
..... (Name of Project) in the
..... (Name of work site), Premises No./ Holding No.
....., Plot No., Street, Ward No. &
Borough No. (if any)

Ref: Application No. dated of the applicant

Dear Sir/Madam,

With reference to your application mentioned above, the ULB has been pleased to grant the permission in connection with permission for Construction/ Erection of Ground based or Roof based Mobile Tower for (Name of Project) in the (Name of work site), Premises No./ Holding No., Plot No., Street, Ward No. & Borough No. (if any) subject to the following conditions:

- i. The proposed work must be executed in the field as per the approved drawing without any deviation.
- ii. The time line of completion as mentioned must be maintained strictly.
- iii. Any deviation from the approved drawing and time line shall be liable for stoppage the work at site as per norms and fresh approval required.
- iv. The safety and security measures at site as per prevailing Government Order should be taken on priority basis without any compromise.
- v. Any type of damage of the existing public utilities /structures, if occurred, during the construction, shall have be restored by your organization on priority basis as per the timeline fixed by this authority , in all respect following the prevailing Government directives.
- vi. Special care should be taken by the construction Authority to protect the safety of the human life.
- vii. Date of commencement of the work and date of completion of the work
- viii. After completion of construction work the site shall be made free from all stored/stacked construction materials, rubbish, debris, excavated earth or any other hazardous materials so that the site should be useable, safe and secured.
- ix. You are requested to submit positively “notice of completion of work up to plinth level or up to 1.0 meter above ground/ roof level whichever is higher”.

Yours sincerely,

Commissioner/Chairperson/Chairperson of the Board of Administrators/ Executive Officer

Refusal of Application

From: The Commissioner/Chairperson/Chairperson of the Board of Administrators/ Executive Officer
..... Municipal Corporation/Municipality/NAA

To:

.....
.....

(Name and Address of the Applicant)

Sub: Permission for Construction/ Erection of Ground based or Roof based Mobile Tower for
..... (Name of Project) in the
..... (Name of work site), Premises No./
Holding No., Plot No., Street, Ward No.
..... & Borough No. (if any)

Ref: Application No. dated of the applicant

Dear Sir/Madam,

With reference to your application mentioned above, the ULB has decided to refuse the permission in connection with Construction/ Erection of Ground based or Roof based Mobile Tower for (Name of Project) in the (Name of work site), Premises No./ Holding No., Plot No., Street, Ward No. & Borough No. (if any) for the following reasons:

- 1.
- 2.
- 3.
- .
- .
- .

Yours sincerely,

Commissioner/Chairperson/Chairperson of the Board of Administrators/ Executive Officer

No. 894(16) /1(300)/MA/O/C-4/1R-31/2015 (Pt – IV)

Dated, 19th. day of October, 2020

Copy forwarded for information and necessary action to the -

1. Chairman/Chairperson, Board of Administrator/Administrator,
Municipal Corporation/Municipality
2. Principal Secretary, MS & ME & T Department, Government of West Bengal.
3. District Magistrate,....., P.O., Dist.
.....
4. Director of Local Bodies, West Bengal, Poura Prashasan Bhavan, DD-1, Sec - I, Salt
Lake, Kolkata-64.
5. Secretary, Municipal Engineering Directorate, Bikash Bhaban, Salt Lake, Kolkata-91.
6. Chief Engineer, Municipal Engineering Directorate, Bikash Bhaban, Salt Lake, Kolkata-
91.
7. Director, State Urban Development Agency.
8. Joint Secretary (MA Branch-Statutory matters)), Department of Urban Development and
Municipal Affairs.
9. Additional Chief Engineer, North, Municipal Engineering Directorate.
10. Commissioner, Bidhannagar/Siliguri/Asansol/Durgapur/Chandernagore Municipal
Corporation.
11. Executive Officer, Municipality/Notified Area Authority.
12. Private Secretary to the Hon'ble Minister-in-Charge of this Department.
13. P S to Principal Secretary of this Department.
14. P.A. to Mayor/ Chairperson, Board of Administrator, Administrator,
Bidhannagar/Siliguri/Asansol/Durgapur/Chandernagore Municipal Corporation.
15. Section Officer, e-Governance Cell of this Department with a request to upload the same
in the departmental Website.
16. Guard file of Law & Statutory Wings of this Department.


Joint Secretary to the Govt. of West Bengal