	Government of West Bengal Department of Panchayats & Rural Development		<u>Controlled Copy</u>
DOCUMENT NO:	SOP 6/ P&RD		
SECTION TITLE:	PROCEDURE FOR SEEKING PERMISSION FOR INSTALLATION OF MOBILE TOWER IN AN AREA UNDER THE JURISDICTION OF PANCHAYAT SAMITI WHERE THE STATE GOVERNMENT DECLARES ITS INTENTION TO PREPARE AND PUBLISH A DEVELOPMENT PLAN OTHER THAN IN AN AREA UNDER INDUSTRIAL ESTATE OR INDUSTRIAL PARK AND GRANT OF PERMISSION THEREOF		
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1. **Purpose:** Seeking permission for installation of mobile tower in an area under the jurisdiction of Panchayat Samiti where the State Government declares its intention to prepare and publish a development plan other than in an area under industrial estate or industrial park
2. **Scope:** Control on installation of mobile tower in Panchayat areas where the State Government declares its intention to prepare and publish a development plan
3. **Authorities and Responsibilities:**
 - (A) Responsibility of permission for installation of Mobile tower in an area under the jurisdiction of a Panchayat Samiti where the State Government declares its intention to prepare and publish a development plan other than in an area under industrial estate or industrial park lie on the following officer:
 - (i) Executive Officer of Panchayat Samiti concerned
 - (B) The following Officers act as Reviewing Officer and Appellate Officer under the West Bengal Right to Public Services Act, 2013 if the Designated Officer fails to provide services within the stipulated time period:
 - (i) Additional Chief Secretary/Principal Secretary of the P&RD Department
 - (ii) Special Secretary, P&RD Department
 - (iii) Joint Secretary, P&RD Department (looking after vetting cell)
 - (iv) Sub-Divisional Officer of Sub-Division concerned
4. **References:**
 - (i) The West Bengal Panchayat Act, 1973
 - (ii) The West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008

5. Abbreviation:

P&RD	: Panchayats & Rural Development.
E.O.	: Executive Officer
PS	: Panchayat Samiti
ZP	: Zilla Parishad

6. Procedure:

- (i) Any person or agency intending to install a mobile tower in the land or roof top in an area within the jurisdiction of a PS where the State Government, in the interest of public, declare its intention to prepare and publish a Development Plan other than in an area under industrial estate or industrial park within the jurisdiction of Panchayat Samiti shall make an application before the appropriate authority in specified format through the web portal of the P&RD Department <https://gpms.wbprd.gov.in> by seeking permission for installation of mobile tower. In case of online application, the applicant will get a 15 digit Application Id and a QR code after submitting the application. The office to which the application is to be submitted and the authority to grant necessary permission are given below:

TABLE-1

Sl No.	Purpose	Application to be submitted to	Permission will be given by
1	Installation of Mobile Tower in the land or roof top in an area within the jurisdiction of Panchayat Samiti where the State Government, in the interest of public, declare its intention to prepare and publish a Development Plan other than in an area under industrial estate or industrial park within the jurisdiction of a PS :		
	(i)For installation of mobile tower of any height on land or roof top	PS office	EO of PS

(ii) Documents to be attached/uploaded with the application:

- a) Structural Plan and Site Plan of the proposed mobile tower (in pdf format), prepared and authenticated by a competent technical person along with structural stability certificate from any authorized/ enlisted Structural Engineer of State.
- b) In case of ground based tower, copy of Records of Right and copy of such other records showing title and interest of the applicant in respect of the land when the service provider owns the land to be attached/uploaded. If the land is not owned by the service provider/infrastructure provider, documents relating to authorization and agreement made with the land owner for installation of mobile tower along with his ownership document are to be attached.

In case of roof top tower, documents relating to authorization and agreement made with the land owner for installation of mobile tower on roof top along with his ownership document are to be attached.

c) Copy of the relevant license/ infrastructure provider registration certificate issued by the Department of Telecommunication, Government of India.

d) Copies of other statutory clearances viz. SACFA clearance, EMR exposure clearances etc. before installation of Mobile Tower obtained from the competent authority.

(iii) (a) For installation of Mobile tower of any height in an area within the jurisdiction of PS, the PS concerned on receipt of the application, will check the completeness of the application in the light of the provisions of the existing Rules. The PS may also make a preliminary enquiry for the purpose in the manner given in the existing Rules.

(b) In case of mobile tower having height more than 6.5 meters, the PS concerned will forward the application along with documents to the ZP concerned for necessary vetting and for mobile tower having height more than 15 meters, the ZP concerned will forward the application along with documents to the P&RD Department for vetting.

(c) Being satisfied with the genuineness and completeness of the application in the light of the provisions of the existing Rules, the PS, within 15 days of receipt of the application will intimate the applicant about completeness of his application and the amount of fees to be paid for the purpose in accordance with the provision of the existing Rules and Government Orders.

(d) The PS will also issue an acknowledgement to the applicant in Form I of the WB Right to Public Services Rules, 2013 by noting down the date within which the service shall be provided after depositing fees by the applicant.

(e) The applicant will get the intimation regarding completeness of his application as well as the amount payable for the purpose through an SMS in his registered mobile No.. The applicant may also check the status of his application as well as information regarding amount payable for the purpose in the web portal by using the 15 digit Application Id already received by him during submission of his application.

(f) In case of insufficient document or if the documents are found not in conformity with the existing Rules or incomplete filling up of the application format, the application will be rejected by the PS. In that case the PS shall intimate the applicant about such rejection by mentioning the reason behind such rejection within 20 days from the date of application. The applicant may also get the information by checking the status of his application in the portal by using his application Id.

(g) In case of such rejection, the applicant will have to submit the application form along with other requisite documents afresh. He may import the data filled up by him in the earlier application form to new application form by choosing import option and by using earlier application Id.

(iv) Payment of fees: On receipt of the intimation regarding payment of fees to be made for the purpose from the PS concerned in accordance with the provision of the existing Rules and Government Orders, the applicant may choose any one of the payment gateways for making online payment and shall pay the exact amount within 3 days of such intimation.

(v) Issuance of Permission: The PS on receipt of the payment made by the applicant, shall issue permission for installation of mobile tower along with the structural plan and site plan vetted by the PS/ZP/P&RD Department. The applicant will get an intimation regarding permission for installation of Mobile Tower through SMS and may download the permission letter along with vetted structural plan and site plan from web portal by using Application Id already received by him during submission of his application.

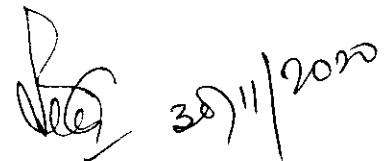
After getting permission for installation of mobile tower, the applicant has to apply to the GP concerned for registration of trade relating to installation of Mobile Tower by following SOP-1.

7. Stipulated time period for providing services under the West Bengal Right to Public Services Act, 2013:

The EO of PS concerned shall have to grant permission for installation of Mobile Tower within the stipulated time limit fixed for the Designated Officer as notified in Notification No. 3978/PN/O/I/4P-3/2013 dated 25/11/2020 of the P&RD Department from the date of depositing fees by the applicant. If the application is incomplete in any respect, the application shall be rejected by the PS and the same shall be intimated to the applicant within the stipulated time period fixed for the Designated Officer as notified under the above-mentioned Notification No. from the date of receipt of the application stating reason behind such rejection.

If the permission for installation of Mobile Tower is not issued within the stipulated time limit mentioned in the said Notification or in case of rejection of the application by the PS concerned, the applicant may prefer an appeal before Appellate Officer as notified in the said Notification No. of the P&RD Department within the stipulated time period mentioned therein.

If the Appellate Officer fails to dispose of the appeal within the time period as notified in the said Notification No. of the P&RD Department, the applicant may also prefer an appeal before the Reviewing Officer mentioned in the said Notification. The decision of the Reviewing Authority will be final.

Handwritten signature and date: 30/11/2020

Special Secretary to the
Government of West Bengal
Panchayats & Rural Development Department