

No: GIDC/Post-allotment/CIR/Policy/MT/36

GIDC Udhdyogbhavan, Gandhinagar

Date: 30/9/2021

CIRCULAR

Sub: Guidelines for Installation and Regularization of Mobile Towers in GIDC Estates

- Ref: (1) Circular No.GIDC/O&M/CIR/Vitran/Policy/64/31 dtd: 10.09.2007  
(2) Circular No.GIDC/O&M/CIR/Vitran/Policy/64/50 dtd: 09.12.2009  
(3) Circular No.GIDC/O&M/CIR/Vitran/Policy/64/13 dtd: 21.04.2012  
(4) Circular No.GIDC/O&M/CIR/Alt/Policy/Mobile Tower/65 dtd: 27.12.2016  
(5) Circular No.GIDC/O&M/CIR/Post-vitran/Policy/72 dtd: 18.02.2017  
(6) Circular No.GIDC/O&M/CIR/Post-vitran/Policy/001 dtd: 08.01.2020

To widen the ambit of existing guidelines issued for land allotment for mobile tower installation, prior approval, regularization; all previous circulars dtd: 10.09.2007, 09.12.2009, 21.04.2012, 27.12.2016, 18.02.2017, 08.01.2020 and other related circulars regarding subject of mobile tower will stand cancelled.

From now onwards, Land allotment for mobile tower, matters for Installation, prior approval & Regularization of Mobile Towers in GIDC estates shall be processed with new guidelines as mentioned below.

1) Identification of land for installation of mobile towers

Telecom operators may provide location of the tower as per technical requirement for providing network. GIDC shall scrutinize the feasibility of providing location. Minimum distance between two towers shall be 50 mtrs. Maximum land area for installation of mobile towers is 30 Sq.mtrs. In case of area falling in Road and Median for installation then the same shall be sent for technical opinion of DEE & Executive Engineer.

2) Land allotment for Mobile Towers

- a. Land should be available with GIDC
- b. Maximum 30 Sq. mtr. area will be allotted for mobile tower installation.
- c. The space available in Utility plots, COP, Un-planned areas & Road offset are offered at present. Divider, road margin, roundabouts, building premises will also be considered for the purpose of allotment for mobile tower installation.
- d. The land will be provided on lease basis for a maximum 20 years. Ownership of the land shall remain with the GIDC. Corporation may further grant lease for 20 years or as decided by VC&MD.

- e. Land will be allotted at the rate of 7 times of prevailing commercial A.P of estate or Percentage increase in base price to last mobile tower auction price x commercial A.P of estate(Whichever is higher)  
For ascertaining percentage increase; for E.g : If average base price of 10 land parcels in a particular estate for setting up mobile tower auctioned is Rs. 100/- and average auction price received for those 10 land parcels was Rs. 1000/- then percentage increase from base price offered to auction price recovered is 10 times which is further to be multiplied by prevailing commercial A.P )(Last Mobile Tower Auction to be considered)
- f. In estates wherein no auction are conducted then land will be offered at 7 times of commercial A.P
- g. Land,property charges,duties , taxes for the area allotted for mobile tower shall be collected on commercial rate.
- h. One time non-refundable installation fees of ₹ 25,000/- to be paid at the time of seeking permission
- i. Annual fees per metre height of pole to be calculated from ground: ₹ 500 /metre to be collected at once for 5 years. Rs.500/- per metre with 5% increase every year to be recovered in advance.
- j. Land will be allotted on first come first serve basis. If in any case 2 or more bids/applications are received for the same land, then auction process will be conducted. The land offered rate as mentioned above (Higher of the two attributes mentioned in point (e)) will be base price for auction.
- k. Time limit for land allotment from date of application is 45 days
- l. Land for Tower cannot be allotted where underground services like drainage line, water supply line, SWD, Electric line, Gas line, other service line are passing.
- m. Land allotted for the purpose of mobile tower installation cannot be sublet, lease or given further by any other means to anyone.
- n. Delegation of power for land allotment are
  - a. land allotment in allotable area is with VC&MD
  - b. Land allotment in non allotable area (divider, roundabout, road offset etc.) with committee of DM and SE

(2) Space available from the plot holder in GIDC estate – (Sub-let permission - Prior approval)

- a. Telecom operators may obtain space for mobile tower installation from the plot holder in GIDC estate
- b. Plot holder of Industrial /Commercial properties may sublet the portion of the plot not more than 30 Sq. mtr area for mobile tower installation purpose.
- c. Sublet approval from GIDC is mandatory for new mobile tower application.

- d. Only utilised properties can be allowed to sub-let for Mobile Tower installation. Utilization proofs shall be obtained for maximum 10 years as per policy dtd: 06.07.2017. Non-utilization penalty will be ascertained based on utilization proofs i.e. Permanent power release certificate, Electricity bills for last 10 years and 20% minimum ground coverage construction. (Exemption in 20% Ground coverage as per policy is allowed)
- e. One time non-refundable installation fees of ₹ 25,000/- to be paid at the time of seeking permission
- f. Annual fees per metre height of pole to be calculated from ground: ₹ 500 /metre to be collected at once for 5 years. Rs.500/- per metre with 5% increase every year to be recovered in advance..
- g. For ploholders; Sublet fees @ 6 % per annum of prevailing commercial A.P ( 2 X industrial AP or 1.5 x Residential AP; whichever is higher) for 5 years in advance– To be paid by the plot holder seeking sublet permission for mobile tower installation. Post 5 years of sub-let on receipt of application, the same may be extended further in slab of 5 years. Applicant (ploholder) will apply for renewal of sub-let permission to corporation before end of 5 years, if the ploholder fails to do so then the further usage will be considered unauthorised and will invite eviction proceedings.
- h. Applicant (plot holder) has to clear all outstanding dues including Non utilization penalty, water,draining charges, Notified tax etc. for obtaining sublet permission.
- i. Land/property charges,duties , taxes for the area allotted for mobile tower shall be collected on commercial rate.
- j. Sub-let permission can only be given if the construction is as per approved building plan.
- k. No prior sublet permission can be given in margin area.
- l. Delegation of power for sub-let permission is with committee of DM and SE.

### (3) Mobile tower installation-Regularization & Unauthorised use

- a. Any existing mobile tower without approval of GIDC shall be regularized if meets the criteria as mentioned in the policy. Area for tower installation in case of regularization should not exceed 250 Sq. mtrs.
- b. Regularization penalty of Rs. 50,000/- per tower is to be collected over and above non-refundable installation fees Rs. 25,000/-,
- c. Annual fees per metre height of pole to be calculated from ground: ₹ 500 /mtr shall be collected at once for 5 years. Rs.500/- per metre with 5% increase every year to be recovered in advance.

- d. For plotheholders; Sublet fees @ 6 % per annum of prevailing commercial A.P (2 X industrial AP or 1.5 x Residential AP; whichever is higher) for 5 years in advance.
- e. If regularization application is approved alongwith sub-let permission thenafter applicant (plotheholder) will apply for renewal of permission to corporation before end of 5 years, if the plotheholder fails to do so then the further usage will be considered unauthorised and will invite eviction proceedings.
- f. Land/property charges, duties, notified taxes for the area regularized for mobile tower shall be collected on commercial rate.
- g. If existing tower does not meet the qualifying criteria and required to be removed, then telecom operators and plot holders who has done sublet shall have to pay the sub-let fees for utilized duration.
- h. In case the existing mobile tower meets the criteria to regularize then also sub-let fees for unauthorised duration shall be levied.
- i. Mobile towers not meeting the criteria as per policy shall be removed within 30 days of rejection of regularization permission by corporation (OR in case no application submitted for regularization within 60 days of issuance of circular thenafter completion of 60 days tower need to be removed by applicant within 30 days). Post that eviction proceedings shall be initiated.
- j. An application for regularization shall be made to the respective field office within 60 days from the date of issuance of circular. FO shall decide on such applications within 45 days from receipt of such applications.
- k. If the plotheholder fails to remove the unauthorised mobile tower then GIDC will remove at the cost of telecom operator.
- l. Regularization of mobile towers shall not be permitted on nonutilised properties & properties with unauthorised construction.
- m. Only utilised properties can be allowed to Regularize Mobile Tower installation. Utilization proofs shall be obtained for maximum 10 years as per policy dtd: 06.07.2017. Non-utilization penalty will be ascertained based on utilization proofs i.e. Permanent power release certificate, Electricity bills for last 10 years and 20% minimum ground coverage construction. (Exemption in 20% Ground coverage as per policy is allowed)
- n. Applicant (plot holder) has to clear all outstanding dues including Non utilization penalty, water/draining charges, Notified tax etc. for obtaining regularization permission.

- o. Delegation of power for approval of mobile tower Regularization other than the margin area is with committee of DM and SE.
- p. Delegation of power for mobile tower regularization in margin area vests with VC&MD

(4) Permission for Roof Tower Installation

- a. Permission for mobile tower installation on Roof Top is permitted. Maximum area 30 Sq. mtrs.
- b. One-time non-refundable installation fees of Rs. 25,000/- to be paid at the time of seeking such permission.
- c. Annual fees per metre height of pole to be calculated from ground: ₹ 500 /metre shall be collected at once for 5 years. Rs.500/- per metre with 5% increase every year to be recovered in advance.
- d. For plot holders; Sublet fees @ 6 % per annum of prevailing commercial A.P ( 2 X industrial AP or 1.5 x Residential AP; whichever is higher) for 5 years in advance– To be paid by the plot holder seeking sublet permission for mobile tower installation. Applicant (plot holder) will apply for renewal of Roof Top Tower installation permission to corporation before end of 5 years, if the plot holder fails to do so then the further usage will be considered unauthorised and will invite eviction proceedings.
- e. Only utilised properties can be allowed to sub-let for Roof top Mobile Tower installation. Utilization proofs shall be obtained for 10 years as per policy dtd: 06.07.2017. Non-utilization penalty will be ascertained based on utilization proofs i.e. Permanent power release certificate, Electricity bills for last 10 years and 20% minimum ground coverage construction. (Exemption in 20% Ground coverage as per policy is allowed)
- f. Applicant (plot holder) has to clear all outstanding dues including Non utilization penalty, water/draining charges, notified tax etc. for obtaining sublet permission for Roof tower installation.
- g. Applicant shall have to submit structural stability certificate for existing structure and estimated load bearing capacity after roof tower installation to be obtained from registered/license holder structural Engineer.
- h. Land/property charges, duties , taxes for the area allotted for mobile tower shall be collected on commercial rate.
- i. Construction should be as per approved building plan.
- j. Powers for Permission for Roof tower installation vests with committee of DM and SE.

(5) Cell on Wheels (C.O.W)

- a. Placement of Movable Communication Tower or Cell on Wheel and any other related temporary infrastructure for managing events/festivals/fairs and to restore the connectivity in case of disaster is permitted.
- b. Permissions granted for moveable communication Towers/Cell on Wheels or any other related temporary infrastructure for managing the events/festivals/fairs shall be coterminous with the period of that event or maximum 30 days against a specific requirement to provide communication facility to public at large.
- c. Prior permission from GIDC to be obtained for said installation. Such permission will be provided without any fees.
- d. Before installation of moveable communication Towers/Cell on Wheels, a formal request shall be required to be submitted along with the reason to the GIDC office.
- e. In case moveable communication towers/Cell on wheels are installed in lieu of permanent infrastructure to cover the blank areas, a formal permission will be required to be obtained by the "Applicant" .The period of such moveable tower will be extended till the time permission for the site to set up a permanent infrastructure is granted as per provisions of this policy. Fees for such installation will be Rs. 10,000/- for 15 days followed by Rs. 2000/day.
- f. No permission of Cell on Wheels (COW) tower will be given in the plots available for allotment or on allotted plots.
- g. Powers for Permission for cell on wheels vests with committee of DM and SE.

(6) Site sharing guidelines

- a. Site allotted to one operator may be shared with another operator with prior approval of GIDC subject to submission of structural stability certificate and One-time charges for sharing of site is 25% of the amount paid by applicant at the time of approval. (per sharing)
- b. If sharing is done without permission of corporation then the same shall attracts a levy penalty of 10,00,000/- per sharing followed with removal if it is not meeting the existing technical and other criteria and guidelines issued from time to time.
- c. For providing any such site sharing permission, the plot holder shall clear all dues, Non-utilization penalty if any.
- d. Permission for approval of site sharing vests with committee of DM and SE.

### (7) Surrender of properties

It has been observed that properties, spaces allotted for installation of mobile towers have not attained its objective and thus such landholders can surrender the land. Following points shall be considered for the surrender of land allotted for mobile tower installation:

- a. Refund amount will be calculated after deducting 10 % of land allotment rate total amount paid alongwith outstanding dues including service charges, NAA, Lease Rent, water and drainage charges, notified tax, administration charges, any other arrears .
- b. Applicant has to surrender the plot after removing all construction/ equipment in bare condition. All expenses for removal to be borne by the applicant. GIDC is not liable to pay any compensation for any equipment or structure.
- c. Applicant has to surrender the land with no liabilities. An undertaking to be submitted mentioning the land is liability free and no dispute will arise in future.
- d. Powers for approval of surrender of land allotted for mobile towers vests with VC&MD

### (8) Technical Guidelines & Regulatory requirements for installation, prior-approval and regularization of mobile towers

- a. Location of Mobile tower must be avoided within 300 Mtr radius of Residence, Educational institute/ School, Hospital, etc. and within 200 Mtr from Defence & 100 Mtr away from Railway line.
- b. Accessory rooms such as equipment room, shelter or generator room (insulated sound proof cabin), having maximum area of 15.00 Sq. Mtr. (As per D.O.T guideline) shall be permitted considering GDCR.
- c. Standard layout for mobile tower installation within the space allotted /permitted shall have to be got approved from GIDC
- d. The roads having width more than or equal to 24.00 Mtrs. shall be allowed for installation of towers in road shoulders / footpaths. For road width less than 24.00 Mts. the file shall be referred to Head Office for technical scrutiny.
- e. For installation of towers in road medians is permitted such that installation is within the width of the median. (mode of restoration of road/median after installation to be finalized)
- f. The top most alignment of the structure shall not be more than 40.0 Mts., in case the height of the structure is more than 40.0 Mts. the applicant shall have to obtain necessary structural certificate (to be obtained and certified from Registered/License Holder Structural Engineer) and NOC from relevant authorities. For roof top towers maximum height of the tower shall not exceed 15.00 mts.
- g. The necessary drawing as per CGDCR for approval shall have to be submitted through the Registered / License Holder Engineer and Structural Engineer.

- h. The necessary installation shall have to be under the guidance of the Registered / License Holder Structural Engineer.
- i. Necessary "Structural Stability" Certificate for both towers on ground and roof tops shall have to be submitted through the Registered / License Holder Structural Engineer.
- j. Permission of Airport authority is compulsory where location is within 8 km radial distance from Airport location / site.
- k. Clearance / NOC from power supply authority is required for condition of Indian Electricity act / Indian Electricity rule.
- l. Mobile tower application for permission over building / in terrace can be considered only on building having authorised construction after obtaining Structural Stability Certificate from registered Structural Engineer.
- m. Separate permission of Right of Use (RoUs) is required for cable laying up to tower location, as per the policy of the Corporation. No vertical alignment be given; only horizontal laying be allowed.
- n. An Undertaking regarding the Radio Frequency Rays emitted by the installed Equipment not endangering the health shall have to be submitted by the Telecom Company to corporation and the same shall have to be maintained by the Telecom Company as per the regulations.
- o. Plot with any unauthorised construction cannot be considered for sub-let, Regularization, roof tower installation.
- p. For regularization / sublet/roof tower installation on plot for Mobile Towers, the entire construction within the plot shall be as per the approved plan
- q. Provision of Night Indicator as per the requirement of Warning Signal shall have to be made. The provision of Lightning Conductor and Structural Safety shall have to be made as per the regulations.
- r. Any death or damage caused due to the Pole / Structure shall be the sole responsibility of the Telecom Company / Allottee.
- s. All the necessary and required approvals / NOC shall have to be obtained by the Telecom Company / Allottee.
- t. In case the Corporation requires the land provided for the purpose of mobile tower installation, telecom operator will have to remove the installation within the notice period of 3 months at their own cost and resources. No compensation will be given for such cases.
- u. Regularization is permitted in margin if approval/NOC of concerned fire safety authority is obtained.(In case of regularization of mobile towers only)
- v. Installation shall not hamper movement of vehicle and create hindrance to the adjacent plot holders
- w. Insurance of damage cover due to damage caused by catastrophic failure of tower shall be obtained by applicant and submit after issuance of provisional order for sublet
- x. Responsibility of cleaning and maintaining hygiene in the land is the responsibility of the applicant



- y. No billboard or any hoarding is permitted for installation on the mobile tower for marketing purpose
- z. The Pole / Structure shall not be hindrance to any existing service lines, Movement of Fire Safety equipment, Entry and Approach to any existing site, Movement of Traffic.
- aa. The necessary maintenance activity of the Pole / Structure shall be done regularly and shall not be hindrance, problematic or damaging to surrounding neighbourhood and passers-by.
- bb. The land presently used / demarcated for Pole /Structure shall not be used for any other purpose nor shall be subletted further.
- cc. The Company / Allottee shall have to display the Number and Name of the Company / Allottee at the cost of the Telecom Company / Allottee
- dd. Necessary provisions for Fire safety along with the movement and reachability of the fire safety vehicles as per fire safety norms shall have to be maintained.
- ee. If it is necessary to install CCTV camera or any other surveillance equipment for public safety on the tower structure by GIDC or any government agency; it shall be permitted without any charges.

(9) Documentation:

For mobile tower prior approval/regularization following documents has to be submitted

- a. Approved copy of layout plan from competent authority in case of sub-let, roof tower installation & Regularization
- b. NOC of airport authority if tower is installed within 8 km radius from airport
- c. Necessary "Structural Stability" Certificate for both towers on ground and roof tops shall have to be submitted through the Registered / License Holder Structural Engineer.
- d. Clearance / NOC from power supply authority is required for fulfilment of conditions of Indian Electricity act / Indian Electricity rule.
- e. A notarized Undertaking on Rs. 300 stamp regarding the Radio Frequency Rays emitted by the installed Equipment not endangering the health shall have to be submitted by the Telecom Company and the same shall have to be maintained by the Telecom Company as per the regulations
- f. A notarized Undertaking on Rs. 300 stamp stating "rules and regulations set by Gujarat Industrial Development Corporation (GIDC) time to time for mobile tower installation are understood and we abide by the same. We understand that failure of non-fulfilment of rules and regulations will result in to cancellation of the mobile tower installation permission and we will remove the tower with our own resources and cost and provide the land back to the GIDC in such circumstances."
- g. The notarized undertaking should further include that we shall obtain necessary certificate from SACFA "Standard Advisory committee on Radio Frequency allocation" within 6 months.

- h. Copy of notarized agreement executed between allottee & Telecom Company shall have to be submitted at the time of application.
- i. Insurance of damage cover due to damage caused by catastrophic failure of tower shall be obtained by applicant. The same should be included in conditions of PTO.

Proposal related to allotment of land for mobile towers, technical scrutiny shall be dealt by concerned branches alongwith any amendments to be incorporated in future for such aspects.

Sd/-

Vice Chairman & Managing Director  
Gujarat Industrial Development Corporation

To,  
All officers of the Corporation.....for necessary action please

Copy to:  
President, Federation of Industries Association.....for information please.  
All recognised Industries associations.....for information please.  
Manager (S&A) GIDC HO.....for uploading circular on website.

Issue by,

  
Deputy Manager (Est.)