



SOUTH DELHI MUNICIPAL CORPORATION
OFFICE OF THE EXECUTIVE ENGINEER(BLDG)HQ
9thFLOOR, DR. SHYAMA PARSAD MUKHERJEE CIVIC CENTRE
JAWAHARLAL NEHRU MARG:NEW DELHI -110 002

No. EE(B)HQ/SDMC/2021/

378

Date:

15/10/21

Subject: In the High Court of Delhi at New Delhi LPA 572/2011 in the matter of 'MCD Vs Cellular Operators Association of India and Ors.'
Court Orders dated 16.09.2021.

Whereas, a Settlement / Agreement dated 30.01.2017 was signed for regulating the permission for installation of Cellular Infrastructure i.e. towers/poles/mast, etc.

Whereas, South Delhi Municipal Corporation (SDMC) vide its Circular No. D-296/SE(B)HQ/SDMC dated 18.08.2021 issued the applicable fee for permission of installation of Cellular Infrastructure.

Whereas, the Hon'ble High Court of Delhi orders in CM APPEAL 31970/2021 dated 16.09.2021 has directed as under:-

"

In the meantime, subject to the members of applicant / respondent No.1 continuing to make payment of requisite fees in accordance with clause 6 of the Settlement Agreement dated 30.01.2017, the appellant MCD shall not insist on compliance with impugned circular dated 18.08.2021 by such members."

Whereas, the Competent Authority vide orders dated 27.09.2021 has approved that in order to keep uniformity of policy and for compliance of court orders, the permission for instalment of Telecom Infrastructure i.e. towers, poles, etc. shall be allowed to all eligible applicants by paying requisite fee in accordance with clause 6 of the Settlement / Agreement dated 30. 01.2017 and no processing fee is to be charged. However, the eligible applicants have to submit an undertaking that permission is subject to outcome of LPA No. 572/2011 & CM APPEAL 31970/2021 and shall be binding on all the applicants (Copy enclosed).

And whereas, the other approved terms and condition regarding permission for installation of towers/poles such as Settlement / Agreement dated 30.01.2017 and subsequent circulars / guidelines shall remain applicable.

This issues with the prior approval of the Competent Authority.

Encl.: Copy of Undertaking.


Ex. Engineer (Bldg.)HQ
South DMC

All Zonal Ex. Engineers (B), SDMC
(South, Central, West and Najafgarh Zones)

Copy to:-

1. PS to Commissioner, SDMC for kind information of Commissioner please.
2. Addl. Cmr. (Engg.), SDMC for kind information please.
3. Addl. Cmr. (IT), SDMC for kind information please.
4. CE(B)HQ, SDMC for kind information please.
5. All Zonal Dy. Cmr., SDMC (South, Central, West and Najafgarh Zones) for kind information please.
6. Director (IT), SDMC - for kind information and with the request to get the above office order uploaded in the MCD website after getting necessary modification in online application for permission of towers/poles.
7. SE (B)HQ, SDMC for kind information please.
8. A.E.(B)HQ-II, SDMC – for follow-up action.
9. Office Copy.