



Government of Kerala

Abstract

Local Self Government Department - Judgement in W.P(C) No.31141 of 2014 filed by M/s ATC Telecom Towers Corporation Pvt Ltd - complied with - Orders issued.

Local Self Government (RD) Department

G.O(Rt)No. 1826/2015/LSGD

Dated, Thiruvananthapuram 19-06-2015.

- Read :-
1. Judgement dated 21-11-14 in W.P(C) No.31141/14, filed by M/s ATC Telecom Towers Corporation Pvt Ltd.
 2. Representation dated 30/10/14 from M/s ATC Telecom Tower Corporation Pvt Ltd, Cochi.

ORDER

M/s ATC Telecom Tower Corporation Pvt Ltd, Cochi has filed W.P(C) No.31141/14 before the Hon'ble High Court against the issuance of stop memos by the Local Self Government institutions based on public protest against installation of Telecom towers. As per the judgment dated 21-11-14 in the W.P(C) 31141/14, Hon'ble High Court has issued orders directing the 2nd respondent, the Secretary to Government to consider Ext.P6 representation in accordance with law and to pass appropriate orders thereon, as expeditiously as possible and at any rate within a period of two months of the date of receipt of a copy of this judgment. Based on the judgement of the Hon'ble High Court, Government have given an opportunity of being heard the petitioner on 12/5/15 with the Director of Panchayat and Chief Town Planner. At the hearing, the petitioner requested to instruct Local bodies not to issue stop memos for construction of mobile tower after granting the permit.

The Director of Urban Affairs has opined that, when complaints from the public arises, the concerned local bodies issue stop memos against the construction of Mobile Towers.

Government have examined the matter in detail considering all aspects and are pleased to direct the Director of Urban Affairs and Director of Panchayath to issue permit for construction of Telecom Towers after verification of all the aspects contained in the guidelines issued, for the purpose, from the Information Technology Department and once permit is granted

by the Local Government institutions, no stop memo has to be issued by them, in the light of complaints from the public, subject to the condition that the Grama Panchayat may intervene if gross violation of building rule is detected in the construction of Mobile Towers. In case of any complaints after the issuance of permit, they are directed to approach the District Telecom Committee for addressing their grievances.

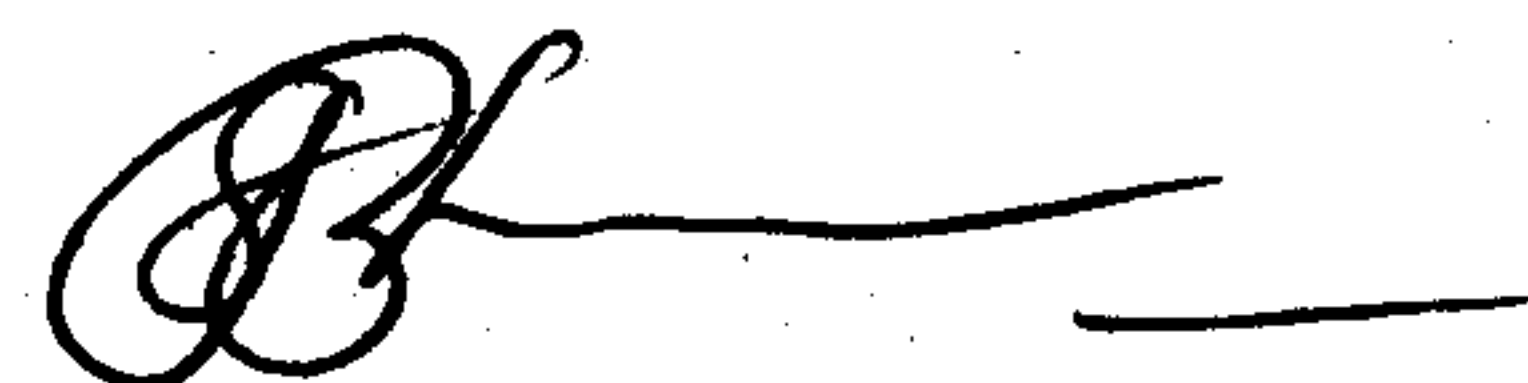
Thus the judgment dated 21-11-14 in W.P(C) No.31141/14 is complied with and orders issued.

By order of the Governor,
A P M MOHAMMED HANISH IAS,
Secretary to Government.(Urban Affairs)

To

1. The Director of Panchayat, Thiruvananthapuram.
2. The Director of Urban Affairs, Thiruvananthapuram.
3. The Chief Town Planner, Thiruvananthapuram.
4. M/s ATC Telecom Tower Corporation Pvt Ltd
5. The Advocate General, Ernakulam. (with covering letter)
6. Information Kerala Mission, Swaraj Bhavan, Thiruvananthapuram.
7. Stock File/ Office Copy.

Forwarded /By order



Section Officer