

**KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM**

**PRESENT: Sri. T.M.Manoharan, Chairman
Sri. P.Parameswaran, Member
Sri. Mathew George, Member**

December 9, 2013

OP 29/2010

In the matter of Clearance applicable for Mobile Towers - clarification exempting BSNL from taking permits.

ORDER

KSERC in the Order on petition No OP 29/2010 dated 24-03-2011 decided that the request of BSNL for exemption from production of clearances from local bodies for BSNL base station towers in the light of Government circular No11414/RD2/2010/LSGD dated 30-10-2010 cannot be allowed and the Order dated 07-1-2010 on TP 67/2009 as modified in the Order dated 31-08-2010 on revision of petition RP 9/210 will prevail

An appeal No 95 of 2011 has been filed by Bharat Sanchar Nigam Limited challenging the above order dated 24-03-2011 of Kerala State Electricity Regulatory Commission declining to allow the prayers of Bharat Sanchar Nigam Limited for exemption from production of clearance from Local Self Government bodies for their telecommunication towers for obtaining electricity supply and application of relevant tariff

The Appellate Tribunal for Electricity in the Judgment dated 13-11-2013 on Appeal No. 95 of 2011 has ordered:

“State Commission and the Electricity Board should not insist for permit from Municipal Authorities under Rule 130 of Kerala Municipality Building Rules, 1999 for BSNL Mobile Base Station Towers for the purpose of obtaining permanent supply connection and application of the relevant tariff.”

In the light of the above Judgment, Commission Orders that the KSEB Ltd and all other Licensees in the state should not insist for permit from Municipal Authorities under Rule 130 of Kerala Municipality Building Rules , 1999 for BSNL Mobile Base Station Towers for the purpose of obtaining permanent supply and application of relevant tariff. The Order of the Commission on petition No OP 29/2010 dated 24-03-2011 stands amended accordingly.

Sd/-
P.Parameswaran
Member(E)

Sd/-
Mathew George
Member (F)

Sd/-
T.M. Manoharan
Chairman
Approved for issue

Sd/-
Secretary