



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CWP-5328-2025**

Date of Decision : **08.04.2025**

**VIJAY KUMAR MANGLA**

.....Petitioner

***VERSUS***

**STATE OF HARYANA AND OTHERS**

.....Respondents

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Tanmoy Gupta, Advocate,  
for the petitioner.

Mr.Pankaj Mulwani, DAG, Haryana  
for respondents no.1 to 3.

Mr. Sumeet Jain, Advocate  
for respondent no.5.

Ms. Srishti Shukla, Advocate with  
Mr. Kulwinder Singh, Advocate,  
for respondent no.6.

**KULDEEP TIWARI, J.(Oral)**

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for quashing the permission granted vide Memo No.2024/1145, dated 13.11.2024 (Annexure P-1), whereby, respondent no.1, has granted permission to respondent no.5, to install a New Mobile Tower in the residential area.
2. The grievance which encapsulated in the instant petition is the indolent and lackadaisical approach of respondent no.3, for not

deciding the representation dated 05.02.2025 (Annexure P-7), as preferred by the petitioner.

3. Learned counsel for the petitioner submits that the mobile tower is permitted to be installed, without there being any requisite permissions granted for the same.

4. He further submits that there is a complete violation of the advisory guidelines, as issued by the State Government, for getting clearance for installing the mobile towers.

5. While referring to the medical condition of the present petitioner, who is suffering from a chronic disease, he submits that the exposure of the petitioner to such high levels radio frequencies of the mobile tower, would deteriorate his health.

6. Upon notice, today Mr. Sumeet Jain, Advocate, has caused appearance on behalf of respondent no.5, whereas, Ms. Srishti Shukla, Advocate, and Mr. Kulwinder Singh, Advocatem as caused appearance on behalf of respondent no.6.

7. They have placed on record a copy of notification dated 08.10.2015, which is taken on record as Mark 'A', and informs this Court that as per the said notification, the Government of Haryana, in order to effectively address public grievance relating to installation of mobile tower, and other issues, has constituted a State Level Telecom Committee (SLTC), and District Level Telecom Committee (DLTC), and their role and responsibility has been specifically prescribed therein. The petitioner has already made a representation (Annexure P-7), to the Chairman of the District Level Telecom Committee headed by Deputy Commissioner,

Palwal, therefore, let the competent authority to decide the issue in dispute.

8. This Court has examined the rival submissions as made by learned counsel for the parties concerned, and has perused the entire case file.

9. It is apparent from the notification dated 08.10.2015, that the District Level Telecom Committee can address the issue, as raised by the petitioner through the instant petition. The composition, role and responsibility of the District Level Committee as prescribed in the said notification is extracted hereinafter:-

“4. The Constitution of District Level Telecom Committee

|       |                                                                                                    |          |
|-------|----------------------------------------------------------------------------------------------------|----------|
| i.    | Deputy Commissioner of concerned District                                                          | Chairman |
| ii.   | Additional Deputy Commissioner                                                                     | Convener |
| iii.  | Superintendent of Police                                                                           | Member   |
| iv.   | Civil Surgeon/CMO                                                                                  | Member   |
| v.    | Executive Engineer, PWD (Roads)                                                                    | Member   |
| vi.   | Executive Engineer, (Buildings)                                                                    | Member   |
| vii.  | District Development and Panchayat Officer                                                         | Member   |
| viii. | Regional Officer, State Pollution Control Board                                                    | Member   |
| ix.   | Assistant Director General, TERM Cell-Haryana                                                      | Member   |
| x.    | District Head of BSNL                                                                              | Member   |
| xi.   | Divisional Forest Officer                                                                          | Member   |
| xii.  | District Heads of Telecom/Infrastructure Provider concerned (against whom complaints are received) | Member   |
| xiii. | Three eminent public persons (to be nominated by Chairman of DLTC)                                 | Member   |
| xiv.  | Representative of ULBs concerned                                                                   | Member   |
| xv.   | District Informatics Officer/ADIO, NIC (As case may be)                                            | Member   |

5. The Role and Responsibilities of DLTC Committees are as under:

(i) District Level Telecom Committee shall deal with public grievance relating to installation of Mobile towers and other issues relating to Telecom Infrastructure in the respective District.

(ii) District Level Telecom Committee shall initiate Suo moto actions based on Public protest/complaint/petition/press/ media reports etc. in connection with Mobile Tower Installation.

(iii) District Level Telecom Committee shall have powers to send recommendation to ULB or any other authority to cancel the permits granted by ULBS or any other authority for installing Mobile Towers or to issue stop memo if the committee finds:

a. The operator violates Government of India/ State Government guidelines, building rules of ULB or any other authority.

b. Any other institutions involved have given adverse remarks against the Telecom Service Provider (TSP)

(iv) The Committee (DLTC) may give the company (TSP) an opportunity to rectify the defects, if the committee feels so.

(v) Telecom Service Provider or petitioner/complainant may file appeal before State Level Telecom Committee (SLTC) with 15 days from the date of receipt of the DLTC's final decision, under intimation to ULB concerned.

(vi) The recommendations of DTC shall be adhered to by concerned ULB/Police Department or any other authority related to the subject

(vii) The TSP can also approach DTC for redressing their grievances, if any.” if any.”

10. In view of the above, a *mandamus* is passed upon the Chairman, District Level Telecom Committee, to decide the representation dated 05.02.2025 (Annexure P-7), as made by the present petitioner, by passing a speaking order, within a period of 15 days from the date of passing of this order.

11. It goes without saying that all the concerned parties, shall be given adequate opportunities of hearing before passing such speaking order.

12. **Disposed of** accordingly.

**April 08, 2025**  
*dharamvir*

**(KULDEEP TIWARI)**  
**JUDGE**

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |