

The issue of Health Hazard for Telecommunication Tower have been clarified and declared by various Courts/Judicial Forums/Research Institutes as there is no conclusive proof and there is no health hazard as such from Telecommunication Tower.

The Honourable Division Bench of Kerala High Court in **Reliance Infocomm – Vs- The Chemancherry Grama Panchayat & Ors - WP(C) No.18242 of 2006** had categorically held that

I. "There is no conclusive/scientific proof to show that Mobile Towers as cause of health hazard."

II. "Electro Magnetic Radiation (EMR) is a part of everyday life and that EMR is emitted by natural sources like the sun, the earth and ionosphere and also by artificial sources such as electrical and electronic equipments, radar facilities, broadcast towers & mobile phone base stations etc.,"

III. "The experiments conducted in and around BTS Towers at points where the public is likely to be exposed has been proven that emission at these points are 150000 times below the level at which significant heating can occur".

IV. "Non-ionizing radiation from the mobile station is less compared to that of AM Radio and FM Radio".

Similar issue (health hazard from Tower) came up for consideration before the **Division Bench of Bombay High Court in Farook Contractor & Ors Vs The Union of India & Ors W.P.No.2112 of 2004** and the Court directed the Ministry of Health and Family Welfare, Govt. of India to conduct a scientific study on the so called health hazard from Telecom Towers. Resultantly a committee was setup under the Chairmanship of Dr.N.K.Ganguly, DG ICMR and the committee after extensive discussions and deliberations expressed as follows "Over all there is no enough evidence to direct health hazards of RF exposures from Mobile base Stations."

In another Order the **Delhi High Court in O.S.No.1121/02** opined that so far "there is neither any conclusive research nor authoritative evidence to show that the radiations emitted by such transmission towers are dangerous to health of human beings."

The Fact Sheet No.304 by World Health Organisation on Electromagnetic fields and public health Base Station and Wireless Technologies it has concluded by asserting as follows "Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from Base Stations and Wireless Networks cause adverse health effects".

The Atomic Energy Regulatory Board, Govt. of India through its Chairman – Prof.S.P.Sukhatme on 6th October 2004 files affidavit on the file Bombay High Court of Judicature in W.P.No.2112 of 2004 stating “Sound or radio frequency waves or visible, infra red or ultra violet light have long wave length and are non-ionizing radiations. Non-ionizing radiations do not have the capability to ionize the matter with which they interact. These radiations are used for telecommunication and other purpose”.

“Radio Frequency waves used for mobile phones are not covered under the definition of ‘radiation’ as given in the Atomic Energy Act, 1962. Therefore Atomic Energy Board Act is not the appropriate authority to assess and or indicate the harmful effects or otherwise of the use of radio frequency waves used in mobile phones”.

The Report given by Director of Regional Cancer Centre, Thiruvananthapuram, which again fortifies the above notion that

- I. “Radio Frequency (RF) fields are present in the environment ever since the invention of Radio, AM/FM transmission, Television, Radar etc., use RF fields. The intensity of these fields including the one that is used in mobile phones is very low. Mobile Phone Towers emit RF Microwaves in the frequency range 800 – 1000 MHz that are directed towards the horizon. So people staying near the tower will not receive any significant radiation. Besides, the signals fades away rapidly over distance. Microwave is a non-ionizing radiation unlike X-ray or gamma rays that are ionizing. Ionizing radiation can cause biological damage. These RF fields do not have sufficient energy to produce direct biological effects. The RF fields generated near mobile towers are thousands of times lower than the recommended maximum exposure level”
- II. “Scientific studies performed to date suggest that exposure to low intensity non-thermal RF fields do not impair the health of humans or animals. The overall population exposure from mobile phone towers is extremely low and no increased risk cancer or other deceases has been established”

Further notification of Government of India dated 26.05.1999 by which all cellular telephone service providers were also brought with in the definition of telegraph authority. By virtue of the said notification and the license issued by Government of India, the They got all the rights and privileges available to the Telegraph Authority under the India Telegraph Act.

It is not out of place to mention that the Office of the Commissioners of Municipal Administration vide Circular dated Roc.No.43829/2004/TP3 dated 27.07.2004 had notified all the Corporation Commissioners and Municipal Commissioners "to expedite the clearance of applications for erection of BTS Towers received from Telecom Companies without delay in accordance with the orders issued in

1. G.O.Ms.No.2, IT Department dated 01.04.2002
2. G.O.(Ms) No.302. H&UD Department dated 12.12.2002
3. G.O.Ms.No.177, MA&WS Department dated 17.12.2002
4. D.O.Lr.No.23770/MA1/2004-2005 dated 12.07.2004 from the Secretary to Government, MA&MS Department.(Tamil Nadu)

It is also mentioned in the said Circular that "Since Government have issued orders on exemption of Building Rules, there is no need for council sanction for the proposal received from the Telecom Companies for erection of BTS".

Further the network equipments and other apparatus utilized by Telecom Operators are in conformity with standards set by following institutions i.e., International Telecommunication Union (ITU), Telecommunication Engineering Centre – India (TEC) and other International Standardization bodies. It is apparent that people surmise risk from RF exposures through Telecom Towers, which is not true as stated above. The said lack of knowledge/unawareness on the part of general public have been misrepresented/twisted to personal advantage as in present case by a group led four persons giving colour of health hazard from Telecom Towers.

There was a disseminating information/news item about health hazard and resultant public agitation against installation of Telecom Tower and the same is handy work of the aforesaid few persons.

If health hazard is a real cause behind for not giving approval for installation of tower, then it would mean that the license granted by Govt. of India to provide telecommunication services to general public is being challenged by Local body, when other conditions are satisfied.

The action of the local body is against the National Telecom Policy which is formulated by Government of India to ensure that there is a balanced growth in the economic and social well-being of the general public/ masses with the simultaneous growth of telecommunication and information technology. The action of the localbody is against licence granted by Govt. of India under Indian Telegraph Act and also various Government Orders.