

BEFORE THE NODAL OFFICER,

AT MANTRALAYA, MUMBAI

(INFORMATION TECHNOLOGY)

UNDER THE TELECOMMUNICATION ACT, 2023

COMPLAINT NUMBER क्र.संकीर्ण -1725/प्र.क्र. 64 & 65/ मातं.

Date: 09.04.2026

Venue: Office of Secretary
(Information Technology),
Mantralaya, Mumbai.

In the Matter of,

Suresh Misal & Ors.

...Complainant

Versus

Summit Digital Infrastructure Ltd.

...Respondent

1. Appearance:

- 1.1 Dr. Kailash Gaikwad, Navi Mumbai Municipal Corporation;
- 1.2 Suresh Misal, Complainant aka Committee Member, Shiv Sagar CHS. Ltd.;
- 1.3 Govind Pose, Complainant aka Committee Member, Shiv Sagar CHS. Ltd.;
- 1.4 Adv. Vaibhav Jagdale, Representative of Summit Digital Infrastructure Ltd. were present.

2. Brief Facts:

The matter pertains to a tower installed without proper authorization. The complaint was filed by Suresh Misal and others regarding the tower located over the Society Terrace of Shiv Sagar CHSL situated at Plot No. B – 306 and B – 307, Sector 19/ 20, Belapur, Navi Mumbai. The tower has been installed and owned by Summit Digital Infrastructure Ltd.

3. Proceedings and Appearance:

The matter was listed for hearing on 09th April 2026. It is noted for the record that the Complainants, the advocate for the respondent and the Navi Mumbai Municipal Corporation remained present when the matter was called.

In view of the appearance of the Complainants, the representative of the tower company and the regulatory authority, the matter was proceeded with the basis of Available records and the submissions made by the parties present.

4. Concerns raised by the Complainants:

The complainants submitted that the agreement produced by the said representatives had been entered into with a society committee that has subsequently been removed pursuant to proceedings before the Co-operative Society Court.

In view of this, the complainants contends that since the society committee stands suspended, the agreement executed between the erstwhile committee and the tower company should likewise be treated as suspended.

5. Submissions made by Summit Digital Infrastructure Ltd.:

Submissions made by Adv. Vaibhav Jagdale, Representative of Summit Digital Infrastructure Ltd., the following documents were placed on record:

5.1 Submission of Agreement: Representative of Summit Digital Infrastructure Ltd. has furnished a formal copy of the duly executed agreement between the erstwhile society committee and Summit Digital Infrastructure Ltd. on 21st June 2022 valid for a period of 5 years i.e. till 20th June 2027, pertaining to the installation of the subject tower for the perusal of the Nodal Officer.

5.2 Submission of Structural Safety Report: Furthermore, a copy of the Structural Stability Report has been submitted for consideration to substantiate the safety and integrity of the telecommunication structure.

6. Decision of Nodal Officer:

In view of the foregoing facts and circumstances, and upon comprehensive consideration of the material placed on record as well as the rival submissions advanced by the parties, it deems fit to reach the following conclusion:

- I. It was observed that, with regard to the complainant's contention seeking to declare the agreement invalid, the Nodal Officer does not have the authority to adjudicate upon or invalidate such an agreement.

As per Section 14(4) of the Telecommunications Act 2023, it is expressly provided that:

Notwithstanding anything contained in any other law, no public entity shall have the power to take coercive actions—such as sealing, restricting access, or forcibly shutting down a telecommunication network established by an authorised entity—without prior permission from an officer authorised by the Central Government. Such actions are permitted only in cases of natural disaster or public emergency.

Therefore, in view of the statutory limitation imposed by the said provision, this office is not empowered to pass any order in the manner sought by the complainant.

2. It was also observed that the requisite permissions and statutory documents have been duly furnished by the Respondent. These records affirm that the telecommunication site in question is in strict compliance with all applicable safety norms and regulatory frameworks.

In the absence of any substantiated material from the Complainant to support the allegations of unauthorized construction, the contentions raised remain unproven. Consequently, it is found that the present complaint is devoid of any merit and the Internet Provider is having all the documents.

Accordingly, it deems fit that there are no grounds made out for granting the relief sought. The present complaint is hereby dismissed and stands disposed of.

Date: 09.04.2026

Place: Mumbai



Virendra Singh
Secretary,
(Information Technology)
and Nodal Officer,
State of Maharashtra,
Mantralaya, Mumbai-32.

Secretary
Information Technology
General Administration Department
Mantralaya, Mumbai - 400 032.

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