

GOVERNMENT OF WEST BENGAL
DEPARTMENT OF INFORMATION TECHNOLOGY & ELECTRONICS
MONI BHANDAR (5TH & 6TH) FLOOR, BLOCK- EP&GP,
SECTOR-V, SALT LAKE, KOLKATA-700 091.
Phone : 2357-2545, Fax : 2357- 2534, Email id- jsit@wb.gov.in.

No. 200–Estt /IT/0/40/2022

Dated: 17.2.2023.

CIRCULAR

In pursuance of the letter vide D.O. No 3-1/2022-NBM dated 7.2.2023 from the Secretary, Ministry of Communications, Government of India read with the Gazette Notification issued by the Joint Secretary, Department of Telecommunications, Government of India vide G.S.R No 06(E) dated 3.1.2023 (F.No 2-16/2022-Policy) in respect of Indian Telegraph (Infrastructure Safety) Rules 2022 (ITIS rules 2022), the undersigned is directed to state that all agencies(both private and public) intending to carry out excavation or digging the roads of any nature and for any purpose only after prior intimation to the stakeholders of the State Government in various Departments through Call Before U Dig (CBuD) Mobile App in order to safe keep the telegraph infrastructure.

Procedure:

- (i) Any person/agency desiring to dig or excavate in the legal exercise of a right with any property in such a manner as is likely to cause damage to a telegraph infrastructure or to interrupt or interfere with telegraphic communication which has duly placed in accordance with the provision of the Indian Telegraph Act, 1885(13 of 1885), shall give notice to licensee through CBuD App, by submitted the information of such digging or excavation, prior to the commencement of digging or excavation;
- (ii) The notice under sub rule (1) shall include the name and address of the person exercising legal right, agency details, contact details, date and time of start of the exercise, description and location of the exercise and the reasons for such digging or excavation;
- (iii) The licensee shall, on submission of notice by the person under sub rule (1), as expeditiously as possible through CBuD App, the details of telegraph infrastructure owned or control or managed by such licensee, falling under or cover along the property with which the person intends to deal in legal exercise of the right, along with precautionary measures for coordination in avoiding the damages to the telegraph infrastructure;
- (iv) The person exercising legal right to dig or excavate shall take appropriate action or precautionary measures provided by the licensee as per sub rule(3);

(v) In case no licensee provides details within the prescribed time as per section 19(A) of the Indian Telegraph Act, 1885(13 of 1885), the person having legal right to dig or excavate shall be free to dig or excavate the property thereafter.

Damages charges for breach of provisions of the rule :

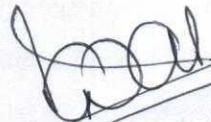
(i) Any person, who is exercise of legal right has dug or has excavated any property in such a manner causing damage to a telegraph infrastructure duly placed in accordance with the provisions of the Indian Telegraph Act, 1885(13 of 1885) shall be liable to pay damage charges to the telegraph authority;

(ii) The damage charges under sub rule (1) shall be computed based on such expenses as may be incurred in restoring damages.

This Circular will follow the Rules and procedure laid down in the Gazette Notification issued by the Department of Telecommunications, Government of India on 03.1.23 and modifications, if any, in future by the State Government across the State of West Bengal.

All concerned are being informed accordingly with an advice to disseminate and comply with the same.

This has the approval of the competent authority of this Government and takes immediate effect.


17/02/2023
Joint Secretary to the
Government of West Bengal

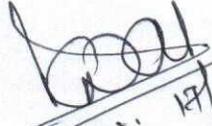
No. 200/1(85)-Estt /IT/0/40/2022

Dated: 17.2.2023.

Copy forwarded for information and necessary action to :-

- The Secretary to the Government of India, Ministry of Communications, Sanchar Bhawan, New Delhi-110001.
- The Additional Chief Secretary / Pr. Secy. / Secretary, Department (all).
- The Managing Director, WBEIDC Ltd, Block – EP & GP, Sector-V, Salt Lake, Kolkata-700 091.
- The Dy Director General, LSA, West Bengal, 82, Ballygunj Place, 2nd Floor, Kolkata-700 019.
- The Dy. Director General, Kolkata Licensed Service Area, QA Bhawan, Block – EP&GP, Sector-V, Salt Lake, Kolkata-700 091.
- The Administrator, SNLTR, Moni Bhandar, 6th Floor, EP & GP Block, Sector V, Salt Lake, Kolkata 700091.

- The OSD to the Chief Secretary, Govt. of West Bengal.
- The District Magistrate, _____ District(all), West Bengal.
- The PS to the Hon'ble MIC, IT&E Department, GoWB.
- The Director General, Digital Infrastructure Providers Association (DIPA), 2nd & 3rd Floor, 7, Bhai Veer Singh Marg, Gole Market, New Delhi-110 001.
- The Director General, COAI, Sector 2, 14, Bhai Vir Singh Marg, Sector 4, Gole Market, New Delhi, Delhi 110001.
- The Sr. PS to the Principal Secretary to the Govt. of West Bengal, IT&E Department.
- The Sr. PS to the Secretary to the Govt. of West Bengal, IT&E Department.


17/07/2023
Joint Secretary to the
Government of West Bengal