



**Government of NCT of Delhi
PWD Secretariat: 3rd Floor, MSO Building,
IP Estate, New Delhi-110002**

**F. 4(136)/2016-17/PWD-II/Roads/Pt File/39-413
CD 057387997**

Dated: 22 March 2023

CIRCULAR

Pursuant to the D.O. No.3-1/2022-NBM dated 07.2.2023 issued by the Secretary to the Government, 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(copies attached) in respect of Indian Telegraph (Infrastructure Safety) Rules 2022(ITIS Rules 2022), all the agencies (both private and public) intending to carry out excavation or digging the roads of any nature and for any purpose should give prior intimation to the stakeholders of the UT Administration in various Department through Call Before u dig(CBuD) Mobile App in order to keep safe the underground/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 telephonic communication, which has duly placed in accordance with the provision of the Act, shall give notice to licensee through CBuD App, by submitting 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 managed by such license, falling under or along the property with which the person intends to deal in legal exercise of the right, alongwith the 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 license provides details within the prescribed time as per section 19(A) of the Act, the person having legal right to dig or excavate shall be free to dig or excavate the property thereafter.

Damage 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 Act, 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.

Considering the above, it is enjoined upon all the departments of National Capital Territory of Delhi to follow the rules and procedure laid down in the Gazette Notification-GSR06(E), issued by the Department of Telecommunications, Government of India and incorporate the same while issuing work orders to agencies (both private and public) intending to carry out excavations. In case of the undergoing excavation works a letter needs to be issued to agencies (both private and public) mandating the use of the "CBuD" Call Before u Dig applications.

This issues with the approval of the Chief Secretary, Delhi

Encl; As above



(Shashanka Ala) IAS,
Special Secretary, PWD

F. 4(136)/2016-17/PWD-II/Roads/Pt File/39-43
CD 057387997

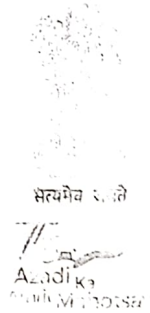
Dated: March 2023

Copy to

1. All Addl Chief Secretaries/ Pr Secretaries/ Secretaries/ HoDs of the Departments of NCT of Delhi
2. PS to the Chief Secretary Delhi.
3. PS to Pr Secretary to the Hon'ble LG Delhi



(Shashanka Ala) IAS,
Special Secretary, PWD



भारत सरकार
संचार मंत्रालय
दूरधर्मागार विभाग
Government of India
Ministry of Communications
Department of Telecommunications

D.O. 3-1/2022-NBM
Dated 7th February, 2023

I appreciate your efforts in onboarding key infrastructure departments onto "Call Before a Dig" (CBuD) Mobile app based on my letter dated 02-12-2022. The CBuD Mobile App is likely to be launched at National level by Hon'ble Prime Minister in mid-March. The State Government departments and agencies need to onboard contact details of all concerned stakeholders of infrastructure/utility asset owner agencies of the State/UTs in CBuD App to receive information of the activities made by other agencies/contractors/members of public likely to be engaged in excavation activities in public places enabling them to safeguard the assets from damage during excavation. All agencies intending to carry out excavations (Government or private) need to be mandated by the States/UTs by notification to carry out any type of excavation / digging only after prior intimation through CBuD App.

2. Govt. of India has issued "Indian Telegraph (Infrastructure Safety) Rules, 2022" (ITIS Rules, 2022) mandating use of CBuD App which mandates to use Portal or Mobile App and casting liability on excavators to inform State/UTs or notify any likely excavation through the app to the relevant telegraph infrastructure owning or managing telegraph infrastructure. Any damage caused due to negligence and liable to pay damage charges. (Copy of rules enclosed). CBuD App is supported by these provisions.

3. It may be noted that CBuD App is utility agnostic and supports any utility asset owner, Government departments, Government / Gas / Petroleum pipeline, Electric Cables etc. owned / operated by various State Departments/ Agencies. To support technical features of CBuD App and other utilities, State/UTs may also come out with similar rules mandating excavators to inform State utility agencies also through CBuD App prior to commencement of excavation activity.

4. In view of above, it is requested that States/UTs may adopt ITIS Rules, 2022 and notify appropriate amendments to the existing rules. State/UT are also requested to direct all concerned departments/agencies to onboard contact details of their concerned officers in CBuD App and request all excavating agencies to onboard themselves on the CBuD App before 28th February 2023. A list of Departments/Agencies who may be onboarded on CBuD app is attached.

Yours faithfully,

Yours Sincerely


(I. Rajaraman)

Chief Secretaries of all States/UTs

भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-03012023-241640
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 05]
No. 05]

नई दिल्ली, मंगलवार, जनवरी 3, 2023/पौष 13, 1944
NEW DELHI, TUESDAY, JANUARY 3, 2023/ PAUSHA 13, 1944

संचार मंत्रालय

(दूरसंचार विभाग)

अधिसूचना

नई दिल्ली, 3 जनवरी, 2023

सा.का.नि. 06(अ).— केन्द्रीय सरकार, भारतीय तार अधिनियम, 1885 (1885 का 13) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्:-

1. संक्षिप्त नाम और प्रारंभ:- (1) इन नियमों का संक्षिप्त नाम भारतीय तार (अवसंरचना सुरक्षा) नियम, 2022 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं- (1) इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हों, -

(क) "अधिनियम" से भारतीय तार अधिनियम, 1885 (1885 का 13) अभिप्रेत है;

(ख) "सामान्य पोर्टल" से इन नियमों के प्रयोजनों के लिए केन्द्रीय सरकार द्वारा विकसित और अधिसूचित पोर्टल या मोबाइल फोन उपयोजन अभिप्रेत है;

(ग) "अनुज्ञप्तिधारी" से अधिनियम की धारा 4 की उप-धारा (1) के अधीन अनुज्ञप्ति धारण करने वाला कोई व्यक्ति अभिप्रेत है;

(घ) "सूचना" से सामान्य पोर्टल के माध्यम से प्रस्तुत की गई खुदाई या उत्खनन संबंधी पूर्व सूचना अभिप्रेत है;

25 GI 2023

(1)

पृ. ०.

(ड.) "तार अवसंरचना" में तार या तार लाइन और पोस्ट शामिल हैं;

(2) उन शब्दों और पदों के जो प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वही अर्थ होगा जो अधिनियम में है।

3. किसी संपत्ति की खुदाई या उत्खनन के विधिक अधिकार का प्रयोग करने की प्रक्रिया - (1) कोई व्यक्ति जो किसी संपत्ति के अधिकार के विधिक अधिकार से खुदाई या उत्खनन की इच्छा इस प्रकार से रखता हो जिससे कि अधिनियम के उपबंधों के अनुसार सम्यक रूप से स्थापित की गई तार अवसंरचना या टेलीग्राफिक संचार को रुकावट डालने या बाधित करने की संभावना हो, तो वह व्यक्ति ऐसे अधिकार का प्रयोग करने से पूर्व इस प्रकार की खुदाई या उत्खनन की सूचना, सामान्य पोर्टल के माध्यम से प्रस्तुत करके अनुज्ञप्तिधारी को सूचना देगा।

(2) उप-नियम (1) के अधीन सूचना में विधिक अधिकार का उपयोग करने वाले व्यक्ति का नाम और पता, एजेंसी का ब्यौरा, पता, खुदाई शुरू करने की तारीख और समय, खुदाई का विवरण और स्थान तथा इस प्रकार की खुदाई या उत्खनन करने के कारण शामिल किए जाएंगे।

(3) अनुज्ञप्तिधारी उप-नियम (1) के अधीन सूचना प्रस्तुत करने पर संपत्ति से संबंध किसी भी अनुज्ञप्तिधारी द्वारा स्वामित्व वाली या नियंत्रित या तार अवसंरचना का ब्यौरा सामान्य पोर्टल के माध्यम से यथा शीघ्र उपलब्ध कराएगा जिसका प्रयोग वह तार अवसंरचना को क्षति पहुँचाए बिना समन्वय के लिए पूर्वावधानी उपायों के साथ-साथ अधिकार के विधिक प्रयोग के लिए करना चाहता है।

(4) खुदाई या उत्खनन के विधिक अधिकार का प्रयोग करने वाला व्यक्ति, उप-नियम (3) के अनुसार अनुज्ञप्तिधारी द्वारा किए गए पूर्वावधानी उपायों पर उपयुक्त कार्रवाई करेगा।

(5) यदि कोई अनुज्ञप्तिधारी अधिनियम की धारा 19(क) के अनुसार विहित समय के भीतर ब्यौरा उपलब्ध नहीं करता है तो खुदाई या उत्खनन के विधिक अधिकार प्राप्त व्यक्ति इसके पश्चात संपत्ति की खुदाई या उत्खनन करने के लिए स्वतंत्र होगा।

4. नियम के उपबंधों के उल्लंघन के लिए नुकसानी प्रभार - (1) कोई व्यक्ति, जिसने किसी संपत्ति की खुदाई या उत्खनन के विधिक अधिकार का प्रयोग इस ढंग से किया हो, जिससे अधिनियम के उपबंधों के अनुसार विधिवत रखे गए तार अवसंरचना के बुनियादी ढांचे को नुकसान होता है, वह तार प्राधिकारी को नुकसानी प्रभार का भुगतान करने के लिए उत्तरदायी होगा।

(2) उप-नियम (1) के अधीन नुकसानी प्रभार की गणना ऐसे खर्चों के आधार पर की जाएगी जैसा नुकसानी के प्रत्यावर्तन में उपगत किया जाए।

[फा. सं. 2-16/2022- नीति]

आनंद सिंह, संयुक्त सचिव

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 3rd January, 2023

G.S.R. 06(E).— In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement.—(1) These rules may be called the Indian Telegraph (Infrastructure Safety) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.** —(1) In these rules, unless the context otherwise requires, —

- (a) "Act" means the Indian Telegraph Act, 1885 (13 of 1885);
- (b) "common portal" means a portal or mobile phone application developed and notified by the Central Government for the purposes of these rules;
- (c) "licensee" means any person holding a license under sub-section (1) of section 4 of the act;
- (d) "notice" means prior information of digging or excavation submitted through common portal;
- (e) "telegraph infrastructure" includes a telegraph or a telegraph line and post;

(2) Words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. **Procedure for exercising of legal right to dig or excavate any property.** — (1) Any person 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 been duly placed in accordance with the provisions of the Act, shall give notice to licensee through common portal, by submitting the information of such digging or excavation, prior to the commencement of such exercise.

(2) The notice under sub-rule (1) shall include the name and address of the person exercising the 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.

(3) The licensee shall, on submission of notice by the person under sub-rule (1), as expeditiously as possible provide through the common portal, the details of telegraph infrastructure owned or control or managed by such licensee, falling under or over or along the property with which the person intends to deal in legal exercise of the right, along with precautionary measures for coordination in avoiding damages to the telegraph infrastructure.

(4) The person exercising legal right to dig or excavate shall take appropriate action on precautionary measures provided by the licensee as per sub-rule (3).

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

4. **Damage charges for breach of provisions of the rule.** — (1) Any person, who in 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 Act shall be liable to pay the damage charges to the telegraph authority:

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

[F. No. 2-16/2022-Policy]

ANAND SINGH, Jt. Secy.