

(Annexure To G.O. NO. 33-JK(ITO) of 2023; dt 24.4.23)

Government of Jammu and Kashmir
Information Technology Department
Civil Secretariat, J&K

NOTIFICATION: 24th April, 2023

With reference to the powers conferred by section (7) of the Indian telegraph Act, 1885(13 of 1885), and the issuance of Indian Telegraph (Infrastructure Safety) Rules, 2022 vide notification no. CG-DL-E-03012023-241640 dated: 03-01-2023 and in exercise of powers conferred by sub section (ii) of section 23 of Jammu and Kashmir Communication and Connectivity Infrastructure Policy (JKCCIP), the Government of UT of Jammu and Kashmir hereby makes the following rules further to amend the Jammu and Kashmir Communication and Connectivity Infrastructure Policy (JKCCIP) 2020, namely:

1. Short title and commencement-

- i. These rules may be called the Jammu and Kashmir Communication and Connectivity Infrastructure Policy (Infrastructure Safety) Rules, 2023.
- ii. They shall come into force from the date of issuance of notification.

2. Definitions-

- i. 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;
- ii. 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-

- i. 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.

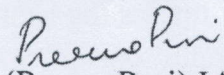
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- ii. The notice under sub-rule (1) shall include the name and address of the person exercising the legal right, agency details, contact details, date and time of start of the exercise, description and location of the exercise, and the reasons for such digging or excavation.
- iii. 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.
- iv. 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).
- v. 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-

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


(Purna Puri) IAS
Commissioner/Secretary to the Government
Information Technology Department
24/4/23

Government of Jammu and Kashmir
Information Technology Department
Civil Secretariat, J&K

Subject: Jammu & Kashmir Communication & Connectivity Infrastructure Policy (JKCCIP)- (Infrastructure Safety) Rules, 2023.

Reference: Indian Telegraph (Infrastructure Safety) Rules, 2022 received from Ministry of Communication, Department of Telecommunication, Government of India vide Notification No. CG-DL-E-03012023-241640 dated: 03-01-2023.

Government Order No. 33-JK(ITD) of 2023
Dated: 24-04-2023

Sanction is hereby accorded to the amendment of Jammu & Kashmir Communication & Connectivity Infrastructure Policy (JKCCIP) notified vide Government Order No. 48-JK(ITD) of 2020 dated 01-12-2020, in alignment with Indian Telegraph (Infrastructure Safety) Rules, 2022 issued vide notification no. CG-DL-E-03012023-241640 dated: 03-01-2023.

These rules be called the Jammu & Kashmir Communication & Connectivity Infrastructure Policy (Infrastructure Safety) Rules, 2023 and are annexed as Annexure-I.

By order of the Government of Jammu & Kashmir.

Sd/-
(Prerna Puri) IAS
Commissioner/ Secretary to the Government
Information Technology Department

No: IT-Gen/ 551/2022 (7084917)

Dated: 24.04.2023

Copy to the:

1. Secretary, Department of Telecommunication, Government of India, New Delhi.
2. The Advocate General, UT of J&K.
3. All Financial Commissioners (Additional Chief Secretaries).
4. Director General of Police, J&K.
5. All Principal Secretaries to the Government.
6. Director General, I&K IMPA&RD.
7. Chief Electoral Officer, I&K.
8. All Commissioner/Secretaries to the Government.
9. Principal Resident Commissioner, J&K Government, New Delhi.

10. Joint Secretary (Jammu & Kashmir/Ladakh), Ministry of Home Affairs, Government of India
11. Chairperson, J&K Special Tribunal.
12. Divisional Commissioner, Kashmir/Jammu.
13. All Heads of Departments/Managing Directors.
14. All Deputy Commissioners.
15. Director Information, I&K.
16. Director, Archives, Archaeology and Museums.
17. Secretary, J&K Public Service.
18. Commission/BoPEE/SSB. Director, Estates, Srinagar/Jammu.
19. Principal Private Secretary to the Hon'ble Lieutenant Governor.
20. General Manager, Government Press, Srinagar/Jammu.
21. Private Secretary to Advisor (B) to the Lieutenant Governor.
22. Private Secretary to the Chief Secretary.
23. Private Secretary to Commissioner/Secretary to the Government, Information Technology Department.
24. I/c Website, Information Technology Department.
25. Government Order/Stock file.

(Dr. Rajinder Kumar Khajuria) JKAS
Additional Secretary to the Government