# INDOOR USE OF LOW POWER WIRELESS EQUIPMENT IN THE FREQUENCY BAND 5 GHZ (EXEMPTION FROM LICENSING REQUIREMENT) RULES, 2005

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# INDOOR USE OF LOW POWER WIRELESS EQUIPMENT IN THE FREQUENCY BAND 5 GHZ (EXEMPTION FROM LICENSING REQUIREMENT) RULES, 2005

In exercise of the powers conferred by sections 4 and 7 of the Indian Telegraph Act, 1885 (13 of 1885) and sections 4 and 10 of the Indian Wireless Telegraphy Act, 1933 (17 of 1933), the Central Government hereby makes the following rules, namely:

## 1. Short title and commencement :-

(1) These rules may be called the Indoor Use of low power wireless equipment in the frequency band 5 GHz (Exemption from Licensing Requirement) Rules, 2005.

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

## 2. Definition :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Indian Telegraph Act, 1885 (13 of 1885);

(b) "Effective Isotropic Radiated Power" includes the gain of the antenna, if any;

(c) words and expressions used in these rules and not defined but defined in the Act and the Indian Wireless Telegraphy Act, 1933 (17 of 1933), shall have the same meanings respectively as assigned to them in those Acts.

**3. Use of wireless equipment in the band 5.150 to 5.350 GHz and 5.725 to 5.875 GHz** :-

Notwithstanding anything contained in any law for the time being in force, no licence shall be required by any person to establish, maintain, work, possess or deal in any wireless equipment for the purpose of low power Wireless Access System, including Radio Local Area Networks, in the frequency band 5.150 to 5.350 GHz and 5.725 to 5.875 GHz with the Maximum Effective Isotropic Radiated Power, type of antenna and coverage area [1] [on non-interference, non-protection and shared (nonexclusive) basis] as specified in the Table below, namely:-

**TABLE**

| Frequency band | Maximum Effective Isotropic Radiated Power | Type of antenna | Coverage area |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| 5.150 to 5.350 GHz and5.725 to 5.875 GHz | Maximum mean Effective Isotropic Radiated Power of 200 mW and a maximum mean Effective Isotropic Radiated Power density of 10 mW/ MHz in any 1 MHz bandwidth | Built in or indoor antenna | Indoor usage which includes usage within the single contiguous campus of an individual, duly recognised organisation or institution |

Inserted by Notification No. GSR36(E) Dated10.01.2007.

**4. Interference** :-

The effect of unwanted energy due to one or a combination of emissions, radiations or induction upon reception in a radio communication system, manifested by any performance degradation, misinterpretation, or loss of information which could be extracted in the absence of such unwanted energy, where any person whom a licence has been issued under Section 4 of the Act, informs that his licensed system is getting harmful interference from any other radio communication system exempted under these rules, the Indoor user of such unlicensed wireless equipment shall take necessary steps to aviod interference by relocating the

equipment, reducing the power, using special type of antennae including discontinuation of such wireless use, if required:

Provided that, before such discontinuation, a reasonable opportunity to explain the circumstances shall be offered to such unlicensed user of wireless equipment.]

**5. Equipment** :-

(1) The wireless equipment shall be type approved and designed and constructed in such a manner that the bandwidth of emission and other parameters shall conform to the limits specified in the Table referred to in rule 3.

(2) The application for obtaining equipment type approval shall be made to the Central Government in such form as may be specified by that Government in this behalf.