

Use of low power equipment in Citizen band 26.957-27.283 MHz (Exemption from Licensing Requirement) Rules, 2005

CONTENTS

1. Short title and commencement.
2. Definitions.
3. Use of wireless equipment in the band 26.957-27.283 MHz
4. Interference.

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In exercise of the powers conferred by Secs. 4 and 7 of the Indian Telegraph Act, 1885 (13 of 1885) and Secs. 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 Use of low power equipment in the Citizen band 26.957-27.283 MHz (Exemption from Licensing Requirement) Rules, 2005.

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

2. Definitions. :-

In these Rules, unless the otherwise requires,-

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

(b) "Effective 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 are assigned to them in those Acts.

3. Use of wireless equipment in the band 26.957-27.283 MHz :-

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 intended to be used while in motion or during halts, on non-interference, non-protection and shared (non-exclusive) basis, in the frequency band 26.957-27.283 MHz with 5 Watt Effective Radiated Power and built-in antenna.

4. Interference. :-

(1) Interference is 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.

(2) In case where any person to whom a licence has been issued under Sec. 4 of the Act, informs that his licensed system is getting interference from any other radio communication system exempted under these rules, the user of such unlicensed Wireless equipment shall discontinue its use forthwith.