

Use of low power Equipment in the Frequency Band 865--867 MHz for (RFID) Radio Frequency Identification Devices (Exemption from Licensing Requirement) Rules, 2005

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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 they Use of low power Equipment in the frequency band 865--867 MHz for (RFID) Radio Frequency Identification Devices (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 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 me same meanings respectively as assigned to them in those Acts.

3. Use of wireless equipment in the band 865--867 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 Radio Frequency Identification Devices (RFID), on non-interference, non-protection and ¹ [shared (non-Exclusive)] basis, in the frequency band 865--867 MHz with maximum 1 Watt transmitter power, 4 Watts Effective Radiated Power and 200 kHz carrier bandwidth.

Substituted for the words "non-exclusive" by Notification No. GSR37(E) Dated 10.01.2007.

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 avoid 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.]