

**Ministry of Communications and Information Technology
(Wireless Planning and Coordination Wing)**

NOTIFICATION

New Delhi, the 28th January, 2005

G.S.R. 45 (E).- 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) and in supersession of the Indoor Use of low power Equipment in the frequency band 2.4 GHz to 2.4835 GHz (Exemption from Licensing Requirement) Rules, 2004, except as respects things done or omitted to be done before such supersession, 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 frequency band 2.4 GHz to 2.4835 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 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 2.4 GHz to 2.4835 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**, on non-interference, non-protection and shared (non-exclusive) basis, in the frequency band 2.4 GHz to 2.4835 GHz with the transmitter power, Effective Radiated Power and height of antenna as specified in the Table below, namely :-

TABLE

Maximum out power of transmitter	Maximum Effective Radiated Power	Height of Antenna
(1)	(2)	(3)
1 W (30 dBm) in Spread of 10 MHz or higher	4 W (36 dBm)	Within 5 metres above the roof top of existing authorized building

4. Standing Advisory Committee on Frequency Allocations clearance.- In case the top of Antenna is more than 5 metres beyond the existing roof top, then Standing Advisory Committee on Frequency Allocations clearance as applicable to antenna needs to be obtained for the antenna for outdoor applications.

5. 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. In case where any person to 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 use of such unlicensed Wireless equipment shall be discontinued forthwith.

6. 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.

[No.R-11014/17/2004-LR (Pt.)]

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