

**The Outdoor Use of Wireless Equipment
(Exemption from Licensing Requirement) Rules, 2007**

THE OUTDOOR USE OF WIRELESS EQUIPMENT (EXEMPTION FROM LICENSING REQUIREMENT) RULES, 2007¹

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 Outdoor Use of Wireless Equipment (Exemption from Licensing Requirement) Rules, 2007.

(2) They shall come into force on the date² of their publication in the Official Gazette.

2. Definitions.—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 5.825 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 of 5.825 to 5.875 GHz with the Maximum Effective Isotropic Radiated Power and maximum power of transmitter as specified in the Table below, namely:—

TABLE

Frequency Band	Maximum Power of Transmitter	Maximum Effective Isotropic Radiated Power
(1)	(2)	(3)
5.825 to 5.875 GHz	1 W(30 dbm) in spread of 10 MHz or higher	4 Watt peak or 36 dbm

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

1. Vide G.S.R. 38(E), dated 19th January, 2007, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 22nd January, 2007.

2. Came into force on 22-1-2007.

radio communication system exempted under these rules, the outdoor user of such unlicensed wireless equipment shall take necessary steps to avoid interference by relocating the equipment, reducing the power or by, using special type of antennae and the Central Government may with a view to ensure smooth functioning of the communication system direct the discontinuance of such Wireless use. Provided that, before such discontinuance, 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 required by that Government in this behalf.