

INDIAN WIRELESS TELEGRAPHY (EXPERIMENTAL SERVICE) AMENDMENT RULES, 2009

REGD- NO. D. L--33004/99 Che Gazette of India 279] No. 2791 mRAORDNARY PART II—Section 3—Sub-section (i) PUBLISHED BY Atmoerrt 15, 2009/*718 25, 1931 NEW DELHI, FRDAY, MAY IS, 20BVAISA}G&A 25, 1931 14 2009 1885 (1885 13) 4 fiqq, 1962 Ng fizrq t. 2009 & 2. *qi) 1962 t) 2 (ii) (ii (3) fiq*i 9 vqnzrq (2) 1804 01/2009 (1) 2 OF INDIA : EXTRAORDINARY ART IPSEC. 3 1 Qfi 2 5000 5000 6 6 1 6 P' (4) 10 (1) 6' 10(2) 1164 11 1962 3 MINEIRY OF COMhFUNICATIONSAND INFORMATION TEGINOLOGY (Deptmt of Necommueications) (Wireless Planning and Coordinathn Wing) NCYIWICATI(N New Delhi, the 14th May, 2009 exercise of the powers conferred by sections 4 and 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules further to amend the Indian Wireless Telegraphy (Experimental Service) Rules, 1962, namely:- (1) These rules may be called the Indian Wireless Telegraphy (Experimental Sewice) (Amendment) Rules, 2009. (2) They shall come into force on the date of their publication in the Official Gazette

2. In the Indian Wireless Telegraphy (Experimental Services) Rules, 1962 (hereinafter referred to as the said rules), in rule 2, aner clause (ii), the following clause shall be inserted, namely:- '(ii a) "Software Developer and Telecom Operator of Value Added Services" means any person who, deals in software development or a service provider of vaJue aeded services, wants to experiment the wireless sets to prospective clients' ; (3) [n rule 9 of the said rules, after, Sub-rule (2), the following Sub-rule shall be inserted, namely:- ' (3) a licence for the purpose of experiment by Software Developer and Telecom Operators of Value Added Services may be granted on payment ofa fee at the following rates, namely:-

Serial	Type of Licalce	Royalty Number	Licence Fee	Period of bctension
1	Maximum validity of Validity permissible	aio	6 months	6 months
2	Experimental	Rs.5000/-	NIL	

(non- radiatin Experimental As per the 3months 3 months 6 months: (Radiating) formula or rates in existence at time of extension. Provided that the frequency for experimental purposes shall be granted on non-interference and non-protection basis and that too for specific locations: Provided further that no royalty as mentioned in clause (3) shall be charged for non-radiating licence and for the radiating licence for the period of three month from the effective date of licence: Provided also that no holder of a licence shall be entitled to a refund of fees paid therefore on the ground of his inability to make fl.dl use of the licence or on its cancellation by the central Government." , 4 GAZETTE OF INDIA : EXTRAORDINARY [PART IPSEC. (4) [n the said rules, rule IO shall be numbered as sub-n.de (1) there of and after sub-rule (1) as so numbered, the following sub-rule shall be inserted, narney:- "10 (2) A licence granted to Software Developer and Telecom Operator of Value Added Services shall be renewed on receipt of an application and fee, as specified in Column (3) of the Table referred to in rule 9, at least one month before the expiry of the licence and it shall not be mandatory on the part of the Central Government to send a notice to the licensee to pay the renewal fees". [R-11014/12/2007.NT MAHA SINGH, Assistant Wireless Advisor Notes: "The principal rule were published in the Gazette of India, Part 11, Section 3, Sub-Section (i), vide notification No. G.S.R. 1164, dated the I lth August 1962 and amendment vide G.S.R. No. 160/88. 14 2009 1885 (1885 13) 4 1962 t, 2009 I 2. 1962 (fri (71Ø "\$ZI 3(i)] 5 1 2 (qrer) 5000 5000 zrqr emfa — 1165 11 1962 «TÄ.fi.*.159/88 12 1988 I 6 THE GAZETTE OF INDIA : EXTRAORDINARY NOVI"CATON New Delhi, the 14th May, 2009 [PART II—ssc. 3(i)] G.S.R. exercise of the powers conferred by sections 4 and 7 of the [ndian Telegraph Act, 1885-(13 of 1 885), the Central Government hereby makes the following rules further to amend the Indian Wireless Telegraphy (Demonstration Licence) Rules, 1962, namely:- 2. (1) These rules may be called the Indian Wireless Telegraphy (Demonstration License) (Amendment) Rules 2009. (2) They shall come into force with effect from the date of publication of this notification in the Official Gazette. In the Indian Wireless Telegraphy (Demonstration Licence) Rules, 1962 (hereinafter referred to as the said rules) in rule 2, after clause (c), the following clause shall be inserted, namely:- '(ca) "Software Developer and Telecom Operator of Value Added Services" means, any person who deals in software development or a service provider of value added services, wants to demonstrate the wireless sets to prospective clients' ; 3. [n rule 4 of the said rules, in sub-rule (2), after clause (a). the following clause shall be inserted, namely:- "(aa) a licence for the purpose of demonstration by Software Developer and Telecom Operator of Value Added

Services may be granted on payment of a fee at the following rates, namely:- Serial Number 1 2 Type Licence of Licence Fee Rs.5000/- Rs.5000/- Royalty As per the formula or rates in at the time of extension. As per the formula or rates in at the time of extension. Period of validity 3 months 3 months Extension Maximum of Validity permissible Demonstration (Indoor) Demonstration (Outdoor) No extension extension period 3 months 3 months: Provided that the frequency for demonstration purposes shall be granted on non-interference and non-protection basis and that too for specific locations: Provided further that no royalty as mentioned in clause (aa) shall be charged for the period of three months from the effective date of licence: Provided also that no holder of a licence shall be entitled to a refund of fees paid therefore on the ground of his inability to make full use of the licence or on its cancellation by the Central Government." In rule 5 of the said rules, after clause (b), the following clause shall be inserted, namely:- 4. 3(i) 7 "(c) A licence granted to Software Developer and Telecom Operator of Value Added Services under rule 4, shall be renewed on receipt of an application and fee as specified in column (3) of the Table referred to in rule 4, at least one month before the expiry of the licence and it shall not be mandatory on the part of the Central Government to send a notice to the licensee to pay the renewal fees". MAHA SINGH, Assistant Wireless Advisor Notes : The principal rules were published in the Gazette of India, Part 11, Section 3, Sub-section (i), vide notification No. G.S.R. H65 dated the 17th August 1962 and amendment vide G.S.R. No. 159/88 dated 12th March 1988. Printed by the Manav, Govt. of India Press, Ring Road, 10064 and Published Conna of Delhi-110054.

