

## MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

(Department of Telecommunications)

(Wireless Planning and Coordination Wing)

## NOTIFICATION

New Delhi, the 14th May, 2009

G.S.R. 324(E).—In 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. (1) These rules may be called the Indian Wireless Telegraphy (Experimental Service) (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, after 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 value added services, wants to experiment the wireless sets to prospective clients”;

(3) In 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 of a fee at the following rates, namely:-

Serial Number	Type of Licence	Licence Fee	Royalty	Period of validity	Extension of Validity	Maximum permissible period
1	Experimental (non-radiating)	Rs.5000/-	NIL	6 months	6 months	1 year
2	Experimental (Radiating)	Rs.5000/-	As per the formula or rates in existence at the time of extension.	3 months	3 months	6 months:

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 full use of the licence or on its cancellation by the central Government.”,

(4) In the said rules, rule 10 shall be numbered as sub-rule (1) there of and after sub-rule (1) as so numbered, the following sub-rule shall be inserted, namely:-

“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-NIT]

MAHA SINGH, Assistant Wireless Advisor

**Notes :** The principal rule were published in the Gazette of India, Part II, Section 3, Sub-Section (i), vide notification No. G.S.R. 1164, dated the 11<sup>th</sup> August 1962 and amendment vide G.S.R. No. 160/88:

अधिसूचना

नई दिल्ली, 14 मई, 2009

सा.का.नि. 325(अ).—केन्द्रीय सरकार, भारतीय तार अधिनियम, 1885 (1885 का 13) की धारा 4 और धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय बेतार-तार यांत्रिकी (प्रदर्शन-अनुज्ञप्ति) नियम, 1962 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. (1) इन नियमों का संक्षिप्त नाम भारतीय बेतार-तार यांत्रिकी (प्रदर्शन-अनुज्ञप्ति) (संशोधन) नियम, 2009 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. भारतीय बेतार-तार यांत्रिकी (प्रदर्शन-अनुज्ञप्ति) नियम 1962 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) के नियम 2 में खंड (ग) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा अर्थात् :-

‘ (गक) “मूल्य वर्धित सेवाओं के साफ्टवेयर डेवलपर और टेलीकाम आपरेटर” से ऐसा कोई व्यक्ति अभिप्रेत है जो मूल्य वर्धित सेवाओं के साफ्टवेयर डेवलपर से संबंधित है या मूल्य वर्धित सेवाओं का प्रदाता है, जो भावी ग्राहकों को बेतार-तार सेटों का प्रदर्शन करना चाहता है”;

(3) उक्त नियमों के नियम 4 के, उपनियम (2) में खंड (क) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात् :-

“ (कक) मूल्य वर्धित सेवाओं के साफ्टवेयर डेवलपर और टेलीकाम आपरेटर द्वारा प्रयोग के प्रयोजन के लिए किसी अनुज्ञप्ति निम्नलिखित दरों पर फीस के संदाय करने पर अनुदत्त की जा सकेगी, अर्थात् :-

## NOTIFICATION

New Delhi, the 14th May, 2009

**G.S.R. 325(E).**—In 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 (Demonstration Licence) Rules, 1962, namely:-

1. (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.

2. 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. In 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	Type of Licence	Licence Fee	Royalty	Period of validity	Extension of Validity	Maximum permissible period
1	Demonstration (Indoor)	Rs.5000/-	As per the formula or rates in existence at the time of extension.	3 months	No extension	3 months
2	Demonstration (Outdoor)	Rs.5000/-	As per the formula or rates in existence at the time of extension.	3 months	No extension	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 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 full use of the licence or on its cancellation by the Central Government.”

4. In rule 5 of the said rules, after clause (b), the following clause shall be inserted, namely:-

“(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”.

[R-11014/12/2007-NT]

MAHA SINGH, Assistant Wireless Advisor

Notes : The principal rule were published in the Gazette of India, Part II, Section 3, Sub-section (i), vide notification No. G.S.R. 1165 dated the 17<sup>th</sup> August 1962 and amendment vide G.S.R. No. 159/88 dated 12<sup>th</sup> March 1988.