

RECEIVED ASSENT ON 28.10.49

[AS PASSED BY THE DOMINION LEGISLATURE.]

Act No XXXI of 1949

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BILL

Repealed by Act 48 of 1952

further to amend the Indian Wireless Telegraphy Act, 1933

WHEREAS it is expedient further to amend the Indian Wireless Telegraphy Act, 1933 (XVII of 1933), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Indian Wireless Telegraphy (Amendment) Act, 1949.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

2. Amendment of preamble to Act XVII of 1933.—In the preamble to the Indian Wireless Telegraphy Act, 1933 (hereinafter referred to as the said Act), for the words "the Provinces" the word "India" shall be substituted.

3. Amendment of section 1, Act XVII of 1933.—For sub-section (2) of section 1 of the said Act, the following sub-section shall be substituted, namely:—

"(2) It extends to the whole of India."

4. Amendment of section 2, Act XVII of 1933.—In section 2 of the said Act,—

(i) in clause (2), the word "and", where it last occurs, shall be omitted;

(ii) after clause (2), the following clause shall be inserted, namely:—

"(2A) 'wireless transmitter' means any apparatus, appliance, instrument or material used or capable of use in making or transmitting telegraphic, telephonic or other communication by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus; and"

5. Amendment of section 6, Act XVII of 1933.—In section 6 of the said Act,—

(i) in sub-section (1), for the words "wireless telegraphy apparatus", the words "wireless telegraphy apparatus, other than a wireless transmitter," shall be substituted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) Whoever possesses any wireless transmitter in contravention of the provisions of section 3 shall be punished with imprisonment which may extend to three years, or with fine which may extend to one thousand rupees, or with both."

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4 22nd October, 1949, see Ministry of Communications, no. 7-2/190/48, 8. 19. 10. 49.

6. Substitution of new section for section 7, Act XVII of 1933.—For section 7 of the said Act, the following section shall be substituted, namely:—

“7. *Power of search.*—Any officer specially empowered by the Central Government in this behalf may search any building, vessel or place in which he has reason to believe that any wireless telegraphy apparatus, in respect of which an offence punishable under section 6 has been committed, is kept or concealed, and take possession thereof.”