

Rep: by Act 52 of 1961, s. 2 & Sch. I (w.e.f. 29.12.64)

THE TELEGRAPH LAWS (AMENDMENT) ACT, 1961  
No. 15 OF 1961

[2nd May, 1961]

An Act further to amend the Indian Telegraph Act, 1885 and the Indian Wireless Telegraphy Act, 1933.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. This Act may be called the Telegraph Laws (Amendment) Act, 1961. Short title.

13 of 1885. 2. In the Indian Telegraph Act, 1885 (hereinafter referred to as the Telegraph Act), in section 3, for clause (1), the following clause shall be substituted, namely:— Amendment of section 3.

“(1) “telegraph” means any appliance, instrument, material or apparatus used or capable of use for transmission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, visual or other electro-magnetic emissions, Radio waves or Hertzian waves, galvanic, electric or magnetic means;

*Explanation.*—“Radio waves” or “Hertzian waves” means electro-magnetic waves of frequencies lower than 3,000 gigacycles per second propagated in space without artificial guide:”

3. In section 7 of the Telegraph Act,— Amendment of section 7.

(i) in sub-section (2), after clause (j), the following clause shall be inserted, namely:—

“(jj) the qualifications to be possessed and the examinations, if any, to be passed by the persons employed for the establishment, maintenance or working of any telegraph and the fees to be charged for admission to such examinations;”;

(ii) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) Every rule made under this section shall be laid as soon as may be after it is made before each House of

Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

Amendment  
of section 2.

4. In the Indian Wireless Telegraphy Act, 1933. (hereinafter referred to as the Telegraphy Act), in section 2,—

17 of 1933

(a) for clause (1), the following clause shall be substituted, namely:—

'(1) "wireless communication" means any transmission, emission or reception of signs, signals, writing, images and sounds, or intelligence of any nature by means of electricity, magnetism, or Radio waves or Hertzian waves, without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

*Explanation.*—"Radio waves" or "Hertzian waves" means electro-magnetic waves of frequencies lower than 3,000 gigacycles per second propagated in space without artificial guide;";

(b) for clause (2A), the following clause shall be substituted, namely:—

'(2A) "wireless transmitter" means any apparatus, appliance, instrument or material used or capable of use for transmission or emission of wireless communication;'

Amendment  
of section  
10.

5. In the Telegraphy Act, in section 10, after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule

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should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”

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