Draft Space Activities Bill, 2017

There is an urgent need for a legal environment for orderly performance and growth of space sector not only because of the interest shown by private sector but also because space activities need participation from private sector agencies as well.

Objective

To promote and regulate the space activities of India by encouraging the participation of non-governmental/private sector agencies under the guidance and authorisation of the government through the Department of Space.

Legal Provisions

- Internationally, the outer space activities are governed by treaties and principles evolved under UN Committee on Peaceful Uses of Outer Space (UNCOPUOS).
- The Committee on the Peaceful Uses of Outer Space (COPUOS) was set up by the UN General Assembly in 1959 to govern the exploration and use of space for the benefit of all humanity: for peace, security and development.
- India is also a party to the Outer Space Treaty, 1967.
- Constitution of India provides for implementation of international treaty obligations, vide Articles 51 and 253.
- The "space" as a subject is not mentioned in the Union List. However, Parliament retains residuary legislative power in respect of "any matter not enumerated" in any of the three lists.
- Currently, space activities are regulated by policies like Satellite Communication Policy, 2000 and Remote Sensing Data Policy, 2011.

Background

The lack of independent private participation in space is because of absence of a framework to provide transparency, timelines on licensing, issuance of authorisation and continuous supervision mechanism (in accordance with the Outer Space Treaty), among others.

These issues need to be addressed today to provide a stronger thrust for ‘Make in India’ as well as FDI in space.

Salient Features

- It will apply to every citizen of India and to all sectors engaged in any space activity in India or outside India.
- A non-transferable licence shall be provided by the Central Government to any person carrying out commercial space activity.
- The Central Government will maintain a register of all space objects (any object launched or intended to be launched around the earth) and formulate the appropriate mechanism for licencing, eligibility criteria, and fees for licence.
- It will provide professional and technical support for commercial space activity and regulate the procedures for conduct and operation of space activity.
- It will ensure safety requirements and supervise the conduct of every space activity of India and investigate any incident or accident in connection with the operation of a space
activity.
- It will share details about the pricing of products created by space activity and technology with any person or any agency in a prescribed manner.
- If any person undertakes any commercial space activity without authorisation they shall be punished with imprisonment up to 3 years or fined more than ₹1 crore or both.
- It also has provisions for the protection of IPR created through space activity.