



## Draft Space Activities Bill, 2017

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The Government has invited suggestions from the public or stakeholders regarding the **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

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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

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- 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

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- 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

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- 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.

## Way Forward

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- The bill is a welcome step in promoting the space sector but it needs to consider breaking down space and ground activities to frame clearer laws for the conduct of **business, international obligations, national security concerns and protection of IP.**
- In order to enable competitive ecosystem in the space sector there is a need to **consult all stakeholders** and consider **international best practices** in managing the space value chain and inducting them within the Act.