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SPACE ACTIVITIES BILL,2017: DOES INDIA'S SPACE LEGISLATION DELIVER?

Abstract

The Space Activities Bill, 2017 seeks to establish a domestic framework to regulate commercial space activities in India. Given the complexities involved in undertaking space activities it is necessary to consider a plethora of policy imperatives to examine the effectiveness of the Bill in light of the industry and commercial requirements. At the outset, a comparative study will be undertaken to draw a contrast between the Space Activities Bill and the national space legislations of different countries to ascertain the nuances manifest in commercial space legislations and to review the effectiveness of the institutional arrangements. Subsequently, the authors will assess whether the Space Activities Bill comprehensively addresses and mitigates the missing link to international liability requirements. This assessment, however, will be made having consideration to the Press Release issued by the Department of Space on 26th June 2019 wherein it was declared that the Bill would enable the formulation of necessary rules to deal with damages under the liability provisions and mode of securing financial guarantee for compensating the damages. The authors, for this purpose,will seek to discern the applicable principles of international responsibility and liability which have to be necessitated in the Bill, in order to provide for a viable forum to seek damages for international space activities. Lastly, the authors will adjudge whether the Bill has met pro private sector requirements in light of the policies determined by the Indian Space Research Organisation (ISRO) and it's marketing arm, Antrix Corporation and New Space India Limited.(NSIL.). Consequentially,the authors will identify the possible legal situations which have to be redressed in order to propagate investments in India's private space sector. Conclusions will be drawn with regard to whether the Bill suffices as a framework to sustain development in the commercial space industry.