

Topic of the week for discussion: 19th to 25th May 2016

Topic: Unquestionable Faith in Boundaries

A draft of the **Geospatial Information Regulation Bill 2016**, released on 4th May for public comment, makes it mandatory to **take permission from a government authority** before acquiring, disseminating and publishing or distributing **any geospatial information of India**. **Basically use of the map of India would require government permission first.**

The ministry of home affairs' proposed bill seeks to make addition of map-related information or creation of even maps and **sharing of location** and map-related data **illegal without a license**.

The introductory note to the bill clearly states its primary objective is to ensure the protection of **'security, sovereignty and integrity of India.'** It is prominently addressed across the current set of policies and guidelines that govern mapping in India: 1) the **National Map Policy, 2005** ("NMP") and associated guidelines issued by the Survey of India, 2) the **Remote Sensing Data Policy, 2011** that regulates satellite-based mapping, and 3) the **Civil Aviation Requirement, 2012**, which regulates mapping and photography using flights and drones. **The first avatar of this effort was the Indian Survey Act that was heard about in 2007, but was never made public.** More recently, the first report towards the National Geospatial Information Policy (now called the National Geospatial Policy) came out **in 2012**. Instead of waiting for this comprehensive policy to be discussed and notified, the bill seems to have come in a hurry to propose a narrowly designed legal instrument. As is often the problem with such precise devices that also want to be exhaustive, the **bill promises much more collateral damage than actual solutions** – it ends up killing the map in the name of protecting the territory.

Geospatial Act: As per the act, "Any person who wants to acquire, disseminate, publish or distribute any geospatial information of India, may make an **application along with requisite fees** to the **Security Vetting Authority** for security vetting of such geospatial information and license thereof to acquire, disseminate, publish or distribute such Geospatial Information in any electronic or physical form."

Impact of Geospatial Act: The bill will not only affect companies like **Google who have mapping tools like Google Maps**, but also bring into its ambit other companies using maps for professional purposes like **taxi-hailing services Ola, Uber** (plot location on map); **travel companies** (map out properties offer mapped guides); **WhatsApp** (allows users to share location with friends); e-commerce delivery service providers (plot packages on a map) and many others. It also includes anyone with a **GPS-enabled Smartphone** as well as users of Smartphone and laptops with in-built GPS.

Security Vetty Agency: It shall consist of an officer of the rank of joint secretary to the government of India or above as chairman and two members, one, a technical expert and the other, a national security expert.

Topic
Introduction

Penalties

- Whoever **acquires** any geospatial information of India in contravention of these shall be punished with a fine ranging from **Rupees one crore to Rupees one hundred crore and/or imprisonment for a period up to seven years.**
- Penalty for **illegal dissemination**, publication or distribution of geospatial information of India: A fine ranging **from Rs 10 lakh to Rs 100 crore** and/or imprisonment for a period up to seven years.
- Penalty for **use of geospatial information** of India **outside India**: Fine ranging from **Rs 1 crore to Rs 100 crore and/or imprisonment for a period up to seven years.**
- Penalty for **wrong depiction of map of India** etc: Fine ranging from **Rs 10 lakh to Rs 100 crore** and/or imprisonment for a period up to **seven years.**

Criticism Points: It may be highly **impractical for each smart phone user** to get a license. It will see all **business dependent on real-time navigation** as illegal. Larger companies have money to go through security vetting, but **startups** may not have it so easy. The bill goes against some of the **ongoing projects like smart cities**, which plan to harness geospatial information for smooth functioning. **Islamabad expressed 'serious concern' over India's proposed the Geospatial Information Regulation Bill** that penalises wrong depiction of India's map, New Delhi dismissed the concerns and said that the proposed bill is an entirely **internal legislative matter. Rejecting Pakistan's 'concerns'** also, India said the whole state of **Jammu & Kashmir is an integral part of India.**

Read further:

<http://www.thehindu.com/news/national/geospatial-bill-india-upset-as-pak-moves-un/article8612678.ece>

<http://thewire.in/2016/05/16/before-geospatial-bill-a-long-history-of-killing-the-map-in-order-to-protect-the-territory-36453/>

<http://thewire.in/2016/05/07/geospatial-bill-another-attempt-to-control-the-free-flow-of-information-34505/>

<http://geospatialworld.net/Professional/ViewBlog.aspx?id=477>