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## FROM STARS TO LEGISLATIONS: HOW INDIA REGULATES ITS SPACE LAWS?

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### ABSTRACT

From the ancient theories of Aryabhata and Brahmagupta to launching the first crewed mission in space by 2027, India's space journey is nothing short of extraordinary, establishing its power on the global stage by advancing its technology, yet still relying on its old, scattered policies. While we see the rise in many private institutions and international regulations in space, unlike other countries, India lacks a unified national legislation for space. This blog will explore how updated space laws in India can attract investment, unlock innovation, and rise as a future global space power.

### INTRODUCTION

“Aaj ka Bharat from space is confident, modern, and ready to conquer new frontiers,” the farewell message from ISS of Shubhanshu Shukla, the first Indian to set foot on the International Space Station in 2025. As we celebrate his journey to space this year, it not only elevates India's global standing in space exploration but also looks back at the history. India has been at the forefront of space since the establishment of ISRO in 1969<sup>1</sup>, completing many notable missions like Chandrayaan3, which not only showcased the country's power but also the need for a broad legal framework to govern it, since the rise of many private companies like Skyroot and the emerging idea of space tourism, India needs its own policies to govern in space rather be depend on international treaties like (UNCOPUOS)<sup>2</sup>. Space is increasingly becoming a showcase of diplomacy and a symbol for global power, which means India needs much-needed legal clarity and predictability for its responsible future engagement in space.

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<sup>1</sup> Indian Space Research Organisation, <https://www.isro.gov.in/profile.html>.

<sup>2</sup> Copuos, (Mar. 3, 2023), <https://www.unoosa.org/oosa/en/ourwork/copuos/index.html>.

## GLOBAL AND HISTORICAL COMMITMENTS

In India, space research was first started by the notable figure Vikram Sarabhai, from which India launched its first indigenous satellite, **Rohini-1**. The period of the 1960s saw India's self-reliance in space with the **Indian National Committee for Space Research (INCOSPAR)** in 1962, then the **Indian Space Research Organisation (ISRO)** in 1969 as key milestones, also the development of indigenous satellites in the 1970s and 1980s defines India's space journey as state-led, peaceful, and globally cooperative, but also aligned with international order. Indian laws are often led by international cooperation, with an early signatory of the **Outer Space Treaty (1967)** declaring peaceful use and state responsibility, the **Liability Convention (1972)** accepting liability for damage caused by space objects, and the **Registration Convention (1976)** for transparency to the **Artemis Accord 2020**<sup>3</sup>, the NISAR mission India – NASA recently and Lunar Polar exploration with Japan it has been the part of many international agreements to remain globally connected in space while increasingly settling its role in these agreements the need to manage its regulations within the country need an urgent attention.

## INSTITUTIONAL FRAMEWORK AND EXPANDING ECOSYSTEM

For decades, India's space sector was basically state-led, with ISRO overseeing research and launch services and satellite development. Still, with the technological advancement, it saw the rise in many commercial and private markets in space, with the Indian government began planning to create facilitative and regulatory bodies to govern the evolving environment.

A major shift came with the establishment of **IN-SPACE (Indian National Space Promotion and Authorisation Centre)** in 2020<sup>4</sup>, designed as a **single-window agency** to authorise and promote private space activities, and **the New Space India Limited NSIL in 2019**<sup>5</sup>, owned by the Government of India, was set up for the purpose of commercializing space products and services. The Indian Space Policy 2023 clearly defines a more comprehensive framework between the government and private actors, and a push towards foreign investments. This shows how India's space sector emerged from a mainly state-driven system to a multi-institutional system.

## THE LEGISLATIVE GAP AND PUSH FOR REFORM

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<sup>3</sup> Robert Lea, *Artemis Accords: What are they & which countries are involved?*, *Space* (Jan. 22, 2023), <https://www.space.com/artemis-accords-explained>.

<sup>4</sup> IN-SPACE, IN-SPACE <https://www.inspace.gov.in/inspace>.

<sup>5</sup> *New Space India Ltd. incorporated as a new commercial arm of D/o Space: Finance Minister*, <https://www.pib.gov.in/Pressreleaseshare.aspx?PRID=1577403>.

India's space journey has always been magnificent, but the legal framework still lags far behind the technological advancements. For many years, India operated without a national space law and was guided by international agreements like the Outer Space Treaty of 1967, which was not a binding legislation. Later, the **Satellite Communication Policy (1997)** and the **Remote Sensing Data Policy** gave access to commercial activities, but were far behind the licensing, insurance, and foreign participation as the private sector expanded the demand from policy makers and industrialists prevailed due to investment uncertainties and cover-up cost liabilities for the launch failures, which led to the **Space Activities Bill in 2017** but it couldn't be enacted. The real change came in 2020 with IN-SPACe's creation and the National Space Policy in 2023, which gave it policy direction but not a binding legal framework. With major private companies now regulating space, and capital firms investing in India's space economy was valued at *US\$8.4 billion as of 2022*, just 2% of the global share. It is estimated that it will grow fivefold to *US\$44 billion*. By 2033, capturing 8-10% of the global share<sup>6</sup>, which means the country needs a law to regulate it.

## EMERGING CHALLENGES AND A WAY FORWARD

Till now, we have seen how India's space sector has accelerated at rocket speed, maintaining its vision, but still lacks moving in parallel with the technology. Its major challenge is its domestic laws and how to be governed by them. Some of these major challenges are like

1. Lack of a legal framework has led to policies creating legal uncertainty for private actors, and limited to documents
2. Uncertainty of liability and insurance, as India is still internationally liable for its space activities, which often leads to a lack of foreign investment in the space sector.
3. India also needs to drive its talent and technology for the country's development, as we see the *intellectual property protection*<sup>7</sup> It is more favourable in other countries, which often acts as a backdrop for us.
4. The major problem of space debris is now increasing due to the many space actors. India needs to regulate its laws to protect against any operational risks and end-of-life

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<sup>6</sup> *Strategic vision and innovation is boosting India's space economy*, World Economic Forum (Nov. 1, 2025), <https://www.weforum.org/stories/2025/01/strategic-vision-innovation-boosting-india-space-economy/>.

<sup>7</sup> *Shoronya Banerjee, Cyberspace and IPR issues : Indian perspective - iPleaders, IPleaders* (Nov. 28, 2021), <https://blog.ipleaders.in/cyberspace-and-ipr-issues-the-indian-perspective/>.

norms for space objects, projects like *NETRA*<sup>8</sup>, developed by ISRO for space situational awareness, needs to be regulated.

With such challenges in mind, what we need is a long-term solution, which is a national legal framework, as India plans to set up its first space station, *Bhartiya Antariksh Station*, by 2035, and other missions like Shukrayaan, as its first Venus Orbiter mission to space, it demands a unified law to serve as a major background to regulate its space activities. With a nation of more than 1.4 billion people depending on technology for communication and navigation without regulated laws and institutions, its space ambitions will become just more chaotic rather than celebrated.

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<sup>8</sup> ISRO initiates 'Project NETRA' to safeguard Indian space assets from debris and other harm, *The Hindu* (Sept. 24, 2019), <https://www.thehindu.com/sci-tech/science/isro-initiates-project-netra-to-safeguard-indian-space-assets-from-debris-and-other-harm/article29497795.ece>.