



# The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2025

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

---

## DREAMS BEYOND GRAVITY: WHY INDIA NEEDS A NEW LEGAL AND MANAGEMENT ORBIT FOR ITS SPACE FUTURE?

*Tripti Pandey*

### INTRODUCTION

India has come a long way in space exploration. Legends like Kalpana Chawla and Sunita Williams have inspired young minds, and now, India's space journey is reaching new heights. In recent years, missions like Chandrayaan-3 (to the Moon), Aditya-L1 (to study the Sun), and Gaganyaan (to send humans to space) have shown that India is not just dreaming big — it's making those dreams come true.

On **June 25, 2025**, Indian Air Force officer **Captain Shubhanshu Shukla** achieved a historic milestone by becoming part of the **Axiom Mission**, marking India's return to human spaceflight. He became the first Indian in over 40 years to live and work in space, joining the International Space Station, just like Rakesh Sharma did in 1984<sup>1</sup>. This is a proud moment for whole country.

But this isn't just about science — it's a sign that India is ready for a bigger role in space. With more private companies getting involved, more international partnerships, and ISRO planning bigger missions, India now needs to improve its laws and management systems for space. As we move beyond Earth's gravity, our rules and policies must also grow to match our dreams.

### WHAT IS SPACE LAW ?

Space law encompasses international treaties and national policies regulating activities beyond Earth's atmosphere. While India has signed key UN treaties and enacted domestic laws like the ISRO Act of 1969, Sensing Data Policy 2011 etc but current regulations fall short in addressing the burgeoning space economy's needs.

### HOW INDIA GOT THERE ?

India's space journey began in the 1960s with Dr. Vikram Sarabhai. The country formed a space research committee in 1962, which later became ISRO in 1969. ISRO launched its first satellite, Aryabhata, in 1975

---

<sup>1</sup>Hindustan Times <https://www.hindustantimes.com/india-news/iafs-shubhanshu-shukla-becomes-1st-indian-astronaut-to-go-to-space-in-decades-101750833175785.html> (last visted on July 4 2025)

## **A NEW LAUNCH , A NEW ERA:**

Axiom Mission 4 was more than a ride to space. It marked the global return of India, Poland, and Hungary to human space travel. The crew carried over 60 scientific experiments, many of which were proposed by Indian researchers, including seed germination and microgravity simulations. Prime Minister Modi even had a live interaction with Captain Shukla aboard the ISS<sup>2</sup> — a deeply emotional moment symbolizing India's entry into human presence in low-Earth orbit.

Yet, amid this celebration, a question arises: Is our legal system ready for the space economy we are building?

## **LEGAL GAPS IN INDIA'S FRAMEWORK :**

India's space sector is evolving rapidly, especially with increasing private participation. Yet, the legal structure guiding these activities remains weak. The Indian Space Policy, 2023 presents a strong vision but lacks enforceable legal backing.

### **1.No Binding Space Law**

The 2023 Policy<sup>3</sup> promotes private sector growth but isn't legally binding. A long-pending Space Activities Act is essential to clearly define roles, rights, and responsibilities.

### **2. IN-SPACE's Dual Role Confusion**

IN-SPACE is supposed to regulate private players but functions under the same department as ISRO. This overlap creates a conflict of interest. It needs independent authority and clear functional separation.

### **3. Undefined Rules for FDI, Licensing & Liability**

There are no specific rules on foreign investment, licensing, liability, or dispute resolution. This lack of clarity discourages businesses and investors.

### **4. Possible Conflict with International Treaties**

India supports global space treaties, but the policy's mention of resource extraction (like mining the Moon) may contradict these commitments. National laws must be in line with international obligations.

---

<sup>2</sup> PM India [https://www.pmindia.gov.in/en/news\\_updates/pm-interacts-with-group-captain-shubhanshu-shukla-aboard-the-international-space-station/](https://www.pmindia.gov.in/en/news_updates/pm-interacts-with-group-captain-shubhanshu-shukla-aboard-the-international-space-station/)

[#:~:text=Shri%20Modi%20enquired%20about%20Shubhanshu's,and%20blessings%20he%20has%20received](#) ( last visited on July 5,2025)

<sup>3</sup>Drishti IAS <https://www.drishtias.com/daily-updates/daily-news-editorials/indian-space-policy-2023-provisions-and-gaps> (last visited on July 5 ,2025)

### 5. **No Export Control for Space Tech**

India's SCOMET list lacks a dedicated category for space-related exports. This causes confusion for startups trying to export equipment. A separate export framework is needed.

### 6. **Need for a Comprehensive Law**

A holistic space law will support private innovation, insure safety and national interest, attract investors and partners, align with global norms.

## **SOME RECENTS DEVELOPMENTS :**

### **1-New FDI Rules for Space Companies**

The Indian government now allows foreign companies to invest directly in India's space sector — up to **100% in satellite parts, 74% in satellites, and 49% in rockets**. This opens the door to more money, technology, and global partnerships.

### **2-ISRO's SSLV Tech Shared with Industry**

ISRO has officially handed over its **Small Satellite Launch Vehicle (SSLV)** technology to Indian companies. This allows private players to make and launch small satellites commercially.

### **3- India–Europe Space Collaboration**

India is teaming up with the **European Space Agency (ESA)** to work on a future **Indian space station**, planned for launch by **2035**<sup>4</sup>. It shows India's growing role in international space exploration.

## **RECOMMENDATIONS:**

### **1-Enact the Space Activities Bill**

A strong, clear **Space Law** should be passed to give legal force to India's space policies and protect all stakeholders.

### **2-Give IN-SPACE Statutory Power**

IN-SPACE should be made **independent** with full legal authority to regulate and promote private space activity — separate from ISRO.

### **3- Set Clear FDI, Licensing & Liability Rule :**

---

<sup>4</sup> The Hindu <https://www.thehindu.com/news/cities/bangalore/european-space-agency-explores-possibilities-of-sending-astronaut-to-indias-space-station-in-future/article69556960.ece> ( last visited on July 6 2025)

The government should issue detailed regulations covering foreign investments, licensing procedures, insurance, and penalties.

#### **4- Align Laws with Global Treaties**

India's laws must stay consistent with international treaties like the Outer Space Treaty (1967).

#### **CONCLUSION :**

As India pushes its space boundaries, dreams alone won't suffice. We need legal certainty, regulatory confidence, and efficient management to ensure equity, safety, and sustainability in outer space. India is dreaming beyond gravity—and rightly so. Our space missions are a symbol of national pride, scientific excellence, and global leadership. But for these dreams to last, we need to build a strong foundation of law and management. Because space isn't just science—it's the next stage of civilization. And if India wants to lead, it must be ready not just with rockets, but with rules.