

FICCI suggests for creating the Geospatial Information Regulatory Authority

The Draft Geospatial Information Regulation Bill, 2016, a step in right direction but certain sections need to be relooked

FICCI submits recommendations on the Draft of 'The Geospatial Information Regulation Bill, 2016'

New Delhi, 8 June 2016: FICCI appreciates the efforts of the Ministry of Home Affairs, Government of India for taking geospatial information into consideration in view of ensuring security, sovereignty and integrity of the nation. There has been a requirement for a policy framework and well-articulated guidelines to regulate this sector, in order to allow public, private and public-private partnership projects to benefit from the geospatial technologies in a more legal and time-bound manner. An appropriate policy framework will help the geospatial industry to flourish without compromising national security. The industry would also be able to ensure proper planning, monitoring and execution of Government's developmental projects, and more efficient use of public money.

FICCI has recommended that the government should re-consider some aspects of the draft Bill, especially mechanism for acquisition, storage, dissemination and distribution of the data so that, the growth of the industry is not adversely impacted, the benefits of this technology to citizens enjoying is not be hampered, and the initiatives of the Government of India, like Smart Cities and Digital India, do not get adversely affected. The draft bill is a step in right direction but certain sections of the bill need to be looked upon again.

On the issue of Acquisition of Geospatial Information of India, FICCI has suggested that the Government of India may consider replacing the 'licencing' with 'registration', and could also create a '**Geospatial Data Registration Portal**' for making the process transparent and time saving. Bringing each and every citizen under the purview of the Bill may not be required, especially when regulations ensure that only secured and authentic geospatial information is created and disseminated by agencies working in this area. Nowadays, a common man uses variety of location-enabled gadgets and apps like, smartphones, cameras, online shopping and navigation apps, which can bring such users under scanner as per the provisions of the Bill in its present form.

The draft Bill appears to retrospectively regulate geospatial data even if it was acquired through legal means or the data which is already approved by the appropriate government authorities, prior to the implementation of the Bill. Not only does this clause seek to charge for this retrospective vetting, but also suggests that the permission to retain and use the data may be denied and the data would have to be surrendered/destroyed. This will severely impact businesses and projects under execution leading to penalties and losses.

Further, the Chamber has suggested that there should be well-defined processes and guidelines to ensure smooth dissemination of geospatial data (especially non-sensitive data). The government may consider creating a regulatory body '**Geospatial Information Regulatory Authority**' with an objective to ensure hassle free sharing of data between various entities, and for quick access of data for businesses and individuals.

The Government could provide a list of critical establishments or provide broad guidelines of establishments of a particular nature that need to be masked. This clarity would help content creators in preparing maps and geospatial information as stipulated government guidelines. Instead of complete masking, critical installations could be named as 'Government Building' or something like a common identity.

FICCI agrees with the intent of the Government of India to correctly depict national boundaries so as to ensure that sovereignty and integrity of the nation is maintained. It suggests that in order to maintain and ensure the usage of right International boundary, the ideal scenario would be that the government provides the same at a high resolution to all registered organisations for use in all published maps.

Furthermore, vetting should be limited to base maps and should not be applied on value added products and services. In addition, it should focus only on the sensitive data, i.e., administrative boundaries, restricted areas and points of interest. Taking real-time data out from the system and sending it for vetting instead of its actual site of application would not be practical for the agencies that create such data. It is suggested that data creators provide access to the data being generated to the Security Vetting Authority in a form which is practical, efficient and can protect the IP rights of the creator.

Regarding offences and penalties, FICCI advocates that there should be a provision of giving warning or notice to those who are found responsible (directly/indirectly) for misrepresenting Indian territories and borders.

Finally, FICCI notes that the draft 'Geospatial Information Regulation Bill, 2016' is intended to regulate geospatial data pertaining to international boundaries and national security. However, the draft Bill needs certain modifications. The Chamber recommends that the Government of India could take steps to freely provide accurate boundaries for India in order to encourage correct representation of Indian territories.

The flagship projects of the Government like AMRUT, Smart City, Digital India etc., envisage involvement of industry and demand use of modern technologies, like IoT-enabled and location-intelligent devices to fulfil their objectives. However, various procedural barriers mentioned in the draft Bill could result in delays in clearance/license, and hence the interruption in nation building exercise and relief efforts.

Weblink: <http://ficci.in/SEdocument/20366/Geospatial-Information-Regulation-Bill-2016.pdf>

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