



Ref. No. : IIG /

Date :

June 2, 2016

From:

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To,

The Joint Secretary (Internal Security-I)
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Sir,

The present representation is made on behalf of the *Institute of Indian Geographers (IIG)*; a pan-India registered scientific organization with over 1000 Life Members and widely spread Institutional membership, including the universities, the research institutions and the libraries in India and abroad. The Institute holds its annual conferences at different university centres and publishes a half-yearly research journal entitled- *Transactions of the Institute of Indian Geographers*. More information can be obtained from the Institute's website (www.iigeo.org).

Draft: THE GEOSPATIAL INFORMATION REGULATION BILL, 2016

COMMENTS AND SUGGESTIONS

A. General Comments

The Map is an integral part of geographic teaching and research all-over the world. In fact, teaching and research in geography start with space relations explained through maps. The above mentioned bill defines Geospatial information under section 2 (e) as follows 'Geospatial information' means geospatial imagery or data acquired through space or aerial platforms such as satellite, aircrafts, airships, balloons, unmanned aerial vehicles including value addition; or graphical or digital data depicting natural or man-made physical features, phenomenon or boundaries of the earth or any information related thereto including surveys, charts, maps, terrestrial photos referenced to a co-ordinate system and having attributes. Thus, the bill takes in its ambit the surveys, charts and maps. This is bound to make earth scientists quite uncomfortable, especially the geographers

The objective of the bill is 'to regulate the acquisition, dissemination, publication and distribution of geospatial information of India which is likely to affect the security, sovereignty and integrity of India'.

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Our Response

We believe that the acquisition, reading and publication of accurate maps, charts, satellite images, and guide maps do not compromise the sovereignty and integrity of India. The bill is likely to constrain geographic teaching and research, in particular.

The bill will certainly create hurdles in the path of map-based teaching and research, especially in Earth-Science departments. It will lead to ignorance of the value and importance of maps. This is bound to discourage even publication of maps that usually accompany a research paper in geography or geology.

We are not sure if the Government of India wants the Indian citizens to stop the use of freely available information platforms like the google, or even the use of GPS, which are so widespread. This will affect the entire population, including the vendors, fishermen, and taxi drivers depending on the GPS for communication. Atlases, guide maps, and any cartographic presentation of any part of India will require a license. This will be detrimental to the use of cartographic information: maps, charts, guide maps etc.

Our Response

The Bill, if enacted, will prevent only the Indian citizens from using satellite data, google Earth, or GPS and maps, not the rest of the world. In no way it constrain the foreign elements hostile to India from using the universally available GEOSPATIAL data. Certainly, the Government of India is aware that there are platforms like Google Earth, giving all the topographic details, the co-ordinates (latitude & longitude) with scale, height to the second, and in some cases even an annotated photograph and a three dimensional picture. This bill once passed by the Parliament is going to harm the cause of education in India.

B. The Security Vetting Authority (SVA)

Chapter II: Section 3

The creation of a SVA is scary. Geospatial data is a blanket term. To buy or obtain an innocent map, an atlas, or a book containing a map, even on a small scale will require a general or special permission of the SVA. This section is likely to turn innocent maps, the cartographic tools of ordinary citizens, into contraband articles. Such doubts should be cleared as a part of the bill itself.

Our Response to Section 3(2)

Many in India have maps and atlases collected over periods. Now, according to clause 3(2), one has to obtain permission of SVA to retain such maps and atlases after paying prescribed fees and securing the permission of the Security Vetting Authority (SVA). The bill must clarify on this point so that the lay person is not harassed in any way.

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Chapter II: Section 4

The section reads "No person shall disseminate or allow visualization of any geo-spatial information of India, either through internet platforms or online services or publish or distribute any geo-spatial information of India in any electronic or physical form".

Our Response

Does it mean that use of maps either for teaching young students, or as illustrations in the books or even research journals, especially in geography, where maps are an unfailing accompaniment, is forbidden? A clarification on this issue is imperative.

Chapter II: Section 5: Disseminating geospatial information outside India

The section reads as"---No person shall, in any manner, make use of, disseminate, publish or distribute any geospatial information of India, outside India, without the prior permission of the Security Vetting Authority.

Our Response

In a lecture or in a conference an economist, a sociologist, a psephologist, an epidemiologist, a geographer, a geologist or even an educationist will like to highlight the distribution and growth of certain phenomena in the country by displaying it on a screen. Does the bill forbid such an activity? It is necessary to clarify on this point. To our understanding this should read that 'No Indian shall knowingly give any wrong geo-information of India through maps or any other mode'.

Chapter II: Section 6

The emphasis in this section appears to be the international boundary of India, especially with Pakistan and China. The present rules require the verification and approval of the Survey of India (SOI) for any map depicting the international boundary. In fact, the SOI has an international boundary verification section which looks after it. As for the topographic details, these are constantly changing and are periodically revised.

Our Response

All maps having international boundaries (land or sea) are at present verified and approved by the Survey of India, before publication, with due acknowledgement. The present arrangement is good enough. No additional safeguard is required. Hence, Section (6) needs a serious reconsideration.

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Chapter II Sections 8 to 11

These deal with the Security Vetting Authority (SVA). This Authority will be vested with all the powers and responsibilities provided under the Act. To buy or use a map or satellite imagery, one would need a license.

Our Response

It is pity that India doesn't produce atlases or maps other than those produced by the Survey of India (SOI) or National Atlas and Thematic Mapping Organization (NATMO). The latter agency only produces thematic maps on agriculture, irrigation, transport or any other theme related to India. These two organizations, both organs of the Ministry of Science and Technology, Govt. of India concentrate only on India and don't produce world atlas or maps of other countries. Unfortunately, we don't have in India the atlas- production houses like Bartholomew, Oxford, Phillips or Caxton. Nor do we produce maps of any other part of the world. Per force, university teachers and researchers or others, interested in countries other than India, buy maps and atlases from abroad. In such a situation, the map producers have their own understanding of India's boundary problem. The Government of India has been applying a correction by stamping on India-Pakistan boundary, the following inscription, "*The Government of India has declared that the external boundaries of India as depicted in these maps are neither correct nor authentic*". International magazines like the ECONOMIST have to smudge or blacken the page carrying a map with a wrong boundary. This is fine.

Chapter V: Section 12-Offences and Penalties

Section 12 reads, 'Whosoever acquires any geospatial information of India in contravention of Section 3, shall be punished with a fine ranging from Rupees one Crore to Rupees one hundred Crores and/or imprisonment for a period up to seven years'.

While section 3 of Chapter II reads as follows '----no person shall acquire geospatial imagery or data including value addition of any part of India either through any space or aerial platforms such as satellite, aircrafts, airships, balloons, unmanned aerial vehicles or terrestrial vehicles, or any other means whatsoever'.

Our Response

The draft bill fails to differentiate between geospatial data and geospatial information. A clarification on this issue is essentially required. Now, geospatial information as defined under section 2 (e) of Chapter I of the draft bill includes 'maps'. Does it mean that acquisition of maps without the permission of the Licensing Authority will attract penalty up to 100 crores and imprisonment up to seven years?

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C. SUGGESTIONS

1. The present arrangement and the empowerment of Survey of India (SOI) and National Remote Sensing Corporation (NRSC) are good enough and no additional law, imposing restricts, licensing and penal provisions are needed.
2. All maps, charts and imageries available with the Survey of India or elsewhere should be allowed to be used freely. There should be no restriction on acquisition and use of imageries, maps, charts, atlases, and Survey of India maps, as well those produced by foreign agencies, subject to their accuracy as per guidelines of the Government of India. It conforms to the philosophy of dissemination of knowledge and information.
3. The government should display widely accurate version of maps (both in digital and non-digital formats) of India, its various states and union territories, and their administrative sub-units. A special care should be taken in the case of maps carrying international boundaries. Such a measure will facilitate the use of maps by all concerned.

It is the considered opinion of the Governing Council of the Institute of Indian Geographers (IIG) that the bill requires a serious reconsideration.

Yours sincerely,

Surya Kant
(Surya Kant) 2/6/2016