

## **Digital Empowerment Foundation (DEF) Demands that the Geospatial Information Regulation Bill 2016 should be Dropped**

**13 June 2016**

### **Press Release**

Digital Empowerment Foundation (DEF) does not welcome the draft Geospatial Information Regulation Bill 2016. The Bill violates our right to access and disseminate information freely. We believe that the draft's approach is not appropriate for democratic society and can have unprecedented consequences on innocent citizens.

The draft's definition of geospatial data is exceedingly broad and vague; essentially subsuming any map, photo with geospatial data or other geospatial data in its ambit. As per this definition, activities that interface with geospatial data; sharing our location among loved ones over the internet, using GPS to navigate through traffic, checking in on Facebook, hailing a cab through an online app, ordering food online, taking photos during our travels etc. would be subject to regulation under this bill.

The bill necessitates the application for a licence for the creation, storage and dissemination of geospatial data from a Security Vetting Authority (SVA) and to get each record of geospatial information vetted by the SVA.

The bill also applies to Indians living outside India. In addition, geospatial information acquired in the past, before the bill has been enforced, also requires an individual to hold a licence to legally use the said information. The penalties for making use of unlicensed geospatial information, such as fine of Rs. 1 crore (10 Million) to 100 crores (1 Billion) or seven years of jail are unrealistic and can severely impact innocent citizens that have no intention of harming the integrity, security or sovereignty of India.

We believe that the draft is in absolute contradiction with the Government of India's (GoI) digital development initiatives such as Digital India Plan or Start Up India plan and the Open Government Data online platform. Also, the drafters have not considered technical aspects of how internet or geospatial information function in real time and as well as the ever expanding usage of the two, which will result in massive logistical difficulties for SVA. The long-term implications on the work of academics, scientific or social researches, civil society, IT tool developers, humanitarian or relief workers to name a few, have not been considered either.

The passage of this bill will give the GoI powers to infringe on our privacy, perform surveillance and monitoring of our personal data to ensure compliance with the regulations. Moreover, the enforcement authority will have powers to confiscate any data considered illegal, according to the bill. Ordinary, innocent citizens will have to bear unnecessary restrictions and hurdles in accessing information under the Right to Information Act, because that would also require us to possess certain geospatial data, either physically or electronically.

In reality, this bill will push map based, geolocation service applications and businesses like Ola Cabs, Uber, Zomato, Flipkart etc., to end their operations because getting each and every geospatial record licensed and vetted is impossible.

The passage of this bill will also have a huge negative impact on education, economic and recreational opportunities, in addition to putting unreasonable restrictions and penalties on innocent civilians.

Once again, DEF urges the Ministry of Home Affairs to drop the Geospatial Information Regulation Bill 2016, and if a reviewed draft is envisioned, it should be drafted in line with programmes like Digital India and Start-up India, which would encourage Indian citizens and start-ups to use geospatial data in everyday lives and create businesses that serve India. DEF also urges to review the draft aligning with International Standards on surveillance, privacy and security of personal data.

### **About Digital Empowerment Foundation**

Digital Empowerment Foundation (DEF) is a New Delhi-based not-for-profit organisation, born out of the deep understanding that marginalised communities living in socio-economic backwardness and information poverty can be empowered to improve their lives almost on their own, simply by providing them access to information and knowledge using digital tools.

[Read our submission on the draft to the Ministry](#)

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