

Draft Indian Drones Policy 2.0

January 23, 2018

The draft policy, also known as Civil Aviation Regulations 2.0, contains the following key recommendations:

- a. **Permissible Beyond Visual Line-of-Sight Operations** – Unlike the present Policy, the draft envisages drone operations beyond visual line-of-sight and beyond the currently stipulated 400ft. Consequentially, this vastly expands the number of commercial applications and usage of drones in businesses. Draft Conditionalities (such as operations only in specified Corridors and enhanced airworthiness regulations) for such operations have also been enumerated.
- b. **Creation of Drone Corridors** – A segregated airspace solely for flying drones, distinct from the airspace in which manned aircrafts operate, and could accommodate all drone flights taking place beyond the visual line of sight.
- c. **Permissible Night-time Operations** – Permissions and other necessary requirements to be obtained to enable night-time drone flights.
- d. **Establishment of Drones Directorate** – A dedicated and qualified Drones Directorate is being recommended under the Directorate General of Civil Aviation (“**DGCA**”) for swift issuance of necessary guidelines for this emerging technology.
- e. **Setting up of UAS-Traffic Management System** – A UAS Traffic Management system devised to provide hyper-local and real time information for managing UAS induced traffic, especially in the Drone Corridors.
- f. **Enabling Commercial Operations** – Use of drones for commercial purposes to be allowed on the submission of a commercial operations manual and risk management manual.
- g. **Creation of Droneports** – Droneports are proposed to be designated areas dedicated to facilitate take-off and landing of the UAVs. Over time their capabilities may be enhanced to function as distribution centres, cargo holds, battery charging stations or for any other appropriate use.
- h. **Autonomous UAS** – Rules have been provided to regulate the use of autonomous UAS i.e. they must be developed and used for an ethical purpose, and its operation must not under any circumstance harm human beings and should, by design protect the dignity, liberty, privacy and safety of human beings.
- i. **Foreign Direct Investment** – 100% FDI under the automatic route has been proposed in UAVs and Remotely Piloted Aircraft System-based commercial civil aviation services, in line with the objectives of the ‘Make in India’ initiative.

Vide this draft policy, the Government of India is aiming to align itself with the best international practices so as to establish India as a technological hub for usage of UAS / drones in varied applications. This policy note has been formulated to bridge the lacunae created by the previous CAR so that India can have a complete and final set of regulations on the use of UAVs thus leaving little room for interpretation. However, this note is still subject to comments and inputs from numerous Departments and Ministries and is pending finalisation.

ELP COMMENTS

This draft regulation, if implemented as envisioned, is a legislation that appears to deal with the advanced problems that are bound to arise from the use of UAVs in India. India with its large demographic dividend and being one of the fastest growing economies offers an opportunity matched by only a few other countries. Via this proposed legislation, India is demonstrating its commitment to adopting new technologies and is attempting to stay ahead of the curve. The opportunity coupled with 100% FDI and other nuanced regulations could spin India into a world leader (both from consumption and exports perspective) in this relatively advanced technology.

The introduction of Drone Corridors seeks to effectively segregate the airspace so that the risk of accidents between manned and unmanned aircrafts is minimised. Such corridors along with the proposed UAS-Traffic Management System would be highly effective in managing the increasing drone traffic in the country as well as ensuring the safety and security of the nation and its citizens. Further, the policy has visualised the creation of droneports i.e. designated areas for take-off and landing of UAVs. With a combination of the Corridor, Traffic Management System and Droneports, the Government seeks to efficiently organise the unmanned aircraft system in the country. It is akin to having an airport to regulate manned flights so as to prevent the chaos and confusion that would arise if numerous people started flying their drones from different locations and without consideration of other such UAVs in the airspace.

Another key point that has been touted is the use of drones for commercial operations. The policy addresses the various ways in which such UAVs can be used for commercial purposes which would be vital for India's progress as an economy. Commercial UAS operations will foster various new forms of air freight capabilities, allowing transport of temperature and time sensitive commodities like bodily organs, life-saving medicines or safe blood for transfusions; drones could also be used to discharge materials for supplementing agricultural irrigation, survey landscapes, actively monitor rail/road traffic, or survey/inspect agricultural land, the possibilities are seemingly endless. This is also likely to help service providers such as food delivery companies in limiting their liability. By embracing such commercial UAS operations, India would be on the verge of a technological boom resulting in automation of most transportation services.

Since the use of drones has officially been allowed as of December 1, 2018, these various recommendations should be addressed as soon as possible to regulate the UAS sector. This proposed policy aims to lead India towards a path of further advancement and modernisation and is in line with the best global practices.