

THE INDIAN ANTARCTIC BILL, 2022

Relevant for: Environment | Topic: Environmental Conservation, Sustainable Development, and EIA

- The Indian Antarctic Bill, 2022 was introduced in Lok Sabha on April 1, 2022. The Bill seeks to give effect to the Antarctic Treaty, the Convention on the Conservation of Antarctic Marine Living Resources, and the Protocol on Environmental Protection to the Antarctic Treaty. It also seeks to protect the Antarctic environment and regulate activities in the region. Key features of the Bill include:
- **Applicability:** The provisions of the Bill will apply to any person, vessel or aircraft that is a part of an Indian expedition to Antarctica under a permit issued under the Bill. Areas comprising of Antarctica include: (i) the continent of Antarctica, including its ice-shelves, and all areas of the continental shelf adjacent to it, and (ii) all islands (including their ice-shelves), seas, and air space south of 60°S latitude.
- **Central committee:** The central government will establish a Committee on Antarctic Governance and Environmental Protection. The Committee will be chaired by the Secretary of the Ministry of Earth Sciences. 10 members, not below the rank of joint secretary, will be nominated from various Ministries and organisations such as defence, external affairs, National Centre for Polar and Ocean Research, and National Security Council Secretariat. In addition, two experts from Antarctic environment and geo-political fields will be nominated by the central government.
- The functions of the Committee include: (i) granting permits for various activities, (ii) implementing and ensuring compliance of relevant international laws for protection of Antarctic environment, (iii) obtaining and reviewing relevant information provided by parties to the Treaty, Convention, and Protocol, and (iv) negotiating fees/charges with other parties for activities in Antarctica.
- **Need for permit:** A permit by the Committee or written authorisation from another party to the Protocol (other than India) will be required for various activities such as: (i) an Indian expedition to enter or remain in Antarctica, (ii) a person to enter or remain in an Indian station in Antarctica, (iii) a vessel or aircraft registered in India to enter or remain in Antarctica, (iv) a person or vessel to drill, dredge or excavate for mineral resources, or collect samples of mineral resources, (v) activities which may harm native species, and (vi) waste disposal by a person, vessel or aircraft in Antarctica.
- Before a permit is granted by the Committee, the applicant has to carry out an environmental impact assessment of the proposed activities. Moreover, a permit must not be granted unless a waste management plan has been prepared for the expedition by the Committee.
- **Prohibited activities:** The Bill prohibits certain activities in Antarctica including: (i) nuclear explosion or disposal of radioactive wastes, (ii) introduction of non-sterile

soil, and (iii) discharge of garbage, plastic or other substance into the sea which is harmful to the marine environment.

- **Offences and penalties:** The Bill specifies penalties for contravention of its provisions. For instance, conducting a nuclear explosion in Antarctica will be punishable with an imprisonment of 20 years which may extend to life imprisonment and a fine of at least Rs 50 crore. Drilling for mineral resources or introducing non-native animals or plants in Antarctica without a permit will be punishable with imprisonment up to seven years and a fine between Rs 10 lakh and Rs 50 lakh. The central government may notify one or more Sessions Courts to be the Designated Court under the Bill and specify its territorial jurisdiction to try offences punishable under the Bill.

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