

From Monopoly to Market: India's Transition to Shared Space Governance in the IN-SPACE Era

Mayur Mahajan¹

Final Year Law Student
Jaipur National University, Jaipur

Article Info

Received: 31-12-2025 Revised: 18-01-2026 Accepted: 24-02-2026 Published: 27-03-2026

Abstract

India's engagement with outer space has traditionally been governed through a centralized and state-controlled institutional framework dominated by the Indian Space Research Organization. This model enabled the country to attain significant technological capabilities and international recognition despite limited economic resources. However, the absence of private participation and a comprehensive domestic legal framework constrained the commercial and innovative potential of India's space sector. The adoption of the Indian Space Policy, 2023 represents a fundamental shift in India's approach to space governance by formally opening the sector to non-governmental entities and redefining the role of state institutions. At the center of this transition lies the Indian National Space Promotion and Authorization Centre, which functions as a regulatory and facilitative authority for private space activities. This article examines India's evolving space governance structure in the context of international space law obligations and critically evaluates the role of IN-SPACe in managing the shift from state monopoly to shared governance. It also reflects upon the scholarly legacy of Late Prof. (Dr.) V. S. Mani and analyses the emergence of India's first private space agency as a symbol of institutional and philosophical transformation in Indian space governance.

Keywords

Indian Space Policy 2023, IN-SPACe, Space Governance, ISRO, Private Space Sector, Space Law, V. S. Mani, Indian Private Space Agency

Introduction

Outer space governance has undergone a profound transformation in recent decades as scientific exploration has given way to commercial utilization and private enterprise. What was once a domain reserved almost exclusively for sovereign states has gradually evolved into a shared arena involving governments, private corporations, start-ups, and international partnerships. This shift has compelled states to redesign their regulatory frameworks in order to accommodate innovation while maintaining control, accountability, and compliance with international law.

India's space Programme developed within a strongly state-centric paradigm. Since its inception, the Indian Space Research Organization functioned as the sole authority responsible for planning, executing, and supervising all space activities under the administrative control of the Department of Space. While this centralized structure contributed significantly to national development and technological self-reliance, it limited private participation and constrained commercial expansion. The Indian Space Policy, 2023 marks a decisive departure from this exclusivist model by recognizing private entities as legitimate stakeholders and by institutionalizing a regulatory framework through IN-SPACe.

State-Centric Origins of India's Space Programme

India's space Programme was conceived not as an instrument of power projection but as a tool for socio-economic development. Under the visionary leadership of Dr. Vikram Sarabhai, ISRO prioritized satellite communication, weather forecasting, remote sensing, and disaster management. Over time, ISRO evolved into a vertically integrated organization exercising exclusive authority over satellite design, launch services, and mission operations.

Although this monopoly model proved remarkably efficient, it also produced structural constraints. Private industry was relegated to auxiliary manufacturing roles without operational autonomy. More importantly, India did not enact a comprehensive domestic space law to regulate national space activities. Governance relied primarily on executive policies and international treaty commitments, resulting in legal uncertainty with respect to licensing, liability, insurance, and dispute resolution.

International Space Law and India's Legal Responsibility

India is a party to major United Nations space treaties, including the Outer Space Treaty, 1967, the Liability Convention, 1972, and the Registration Convention, 1975. These treaties establish the principle that states bear international responsibility for all space activities carried out by governmental and non-governmental entities under their jurisdiction.

The obligation to authorize and continuously supervise private space activities imposes a legal duty on states to maintain effective domestic regulatory mechanisms. In the absence of statutory legislation, India's increasing engagement with private space actors raises questions regarding international liability and compliance. The policy-driven approach adopted by India must therefore be viewed as a transitional mechanism rather than a complete legal solution.

Indian Space Policy, 2023 and the Reorientation of Governance

The Indian Space Policy, 2023 signifies a fundamental restructuring of India's space governance architecture. The policy formally acknowledges non-governmental entities as active participants in space activities and encourages private involvement across launch services, satellite operations, and downstream applications.

A key feature of the policy is the redefinition of ISRO's institutional role. ISRO is repositioned as a research and development organization focusing on advanced scientific missions, technology development, and capacity building. Commercial and operational activities are increasingly expected to be undertaken by private entities under regulatory oversight. This separation reflects an effort to ensure transparency, competition, and institutional neutrality.

IN-SPACE and the Transition to Shared Space Governance

The establishment of the Indian National Space Promotion and Authorization Centre represents a critical institutional reform. IN-SPACE functions as an autonomous body responsible for authorizing private space activities, supervising compliance with national and international obligations, and facilitating access to state-owned infrastructure.

By separating regulatory authority from operational control, IN-SPACE addresses longstanding concerns regarding conflict of interest within India's space sector. Its emergence symbolizes a philosophical shift in which the state assumes the role of regulator and enabler rather than exclusive operator, aligning India with evolving global governance models.

The Emergence of India's First Private Space Agency

A defining milestone in India's transition towards shared space governance was the emergence of its first private space agency, Skyroot Aerospace. Founded by former ISRO scientists, Skyroot Aerospace became the first Indian private entity to successfully launch a rocket into space with the sub-orbital mission of Vikram-S in 2022. This event marked a historic break from state monopoly and demonstrated the technological credibility of Indian private enterprises.

The success of Skyroot Aerospace was not merely a technological achievement but a governance milestone. It represented the practical realization of policy liberalization and validated the rationale behind regulatory reforms. The launch illustrated how private entities, operating under state authorization and supervision, could contribute meaningfully to national space capabilities. It also underscored the need for a stable regulatory framework capable of supporting such missions while ensuring compliance with international obligations.

The rise of India's first private space agency reflects a broader shift in institutional culture, where innovation, entrepreneurship, and collaboration coexist with state oversight. This development serves as a concrete example of how India's space governance is evolving from exclusivity to inclusivity.

Growth of Private Space Actors and Regulatory Challenges

The success of early private ventures has encouraged the rapid expansion of India's private space ecosystem. Start-ups engaged in launch vehicles, satellite manufacturing, and space-based services are increasingly contributing to economic growth and technological advancement. However, regulatory challenges persist.

The absence of comprehensive legislation governing authorization, liability, insurance, and dispute resolution creates uncertainty for private actors. While policy instruments offer flexibility, they lack the enforceability and predictability associated with statutory law. As private participation deepens, the need for legislative clarity becomes increasingly pressing.

Intellectual Legacy of Late Prof. (Dr.) V. S. Mani

Late Prof. (Dr.) V. S. Mani was a pioneer of space law scholarship in India and a leading voice in international legal discourse. His work consistently emphasized the rule of law, peaceful use of

outer space, and equitable access for all states. He strongly advocated for domestic legal frameworks to regulate space activities and warned against unregulated commercial exploitation.

The principles articulated by Prof. Mani find resonance in India's contemporary governance reforms. The emphasis on authorization, supervision, and accountability reflected in the Indian Space Policy, 2023 aligns closely with his scholarly vision, highlighting the enduring relevance of his contributions.

Assessment of India's Governance Transition

India's transition from a state monopoly to a shared governance model represents a necessary response to global developments in space activity. The recognition of private entities and the establishment of IN-SPACe mark significant institutional progress. However, the absence of a comprehensive space law remains a critical shortcoming.

Reliance on executive discretion limits regulatory certainty and may undermine investor confidence. A dedicated Space Activities Act is essential to clearly define rights, responsibilities, and liability regimes, thereby strengthening India's compliance with international law and ensuring sustainable sectoral growth.

Conclusion

India's movement from exclusive state control to shared space governance reflects a broader transformation in the global space order. The Indian Space Policy, 2023, the creation of IN-SPACe, and the emergence of India's first private space agency collectively signify a paradigm shift in India's approach to outer space. While these developments open new opportunities for innovation and commercial participation, their long-term success depends on the enactment of comprehensive legislation and robust regulatory oversight. The intellectual legacy of Late Prof. (Dr.) V. S. Mani continues to guide this transition, reaffirming that outer space must remain governed by law, responsibility, and collective human interest rather than unchecked commercial ambition.