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Drones: A boon or a Bane in India

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ABSTRACT

Technology have played an imperative role in our life, it is one of the key ingredients for the survival of mankind to live in a fast-phase environment. The development of new technology helps people save lives, it helps people make work easier and makes the world a better place to live in. Drones, also known as Unmanned Aerial Vehicles (UAVs) or Remotely Piloted Aircraft System (RPAS). Technology has always taken a new dimension in our life, if it is used properly it may affect us in positive ways or not then disruptive in a negative manner, similar is the case with drones. While drones are proving to be useful in all the parameters from devastating World Wars to humanitarian purposes it had added numerous benefits in the sectors of Civil activities, disaster management, humanitarian activities ,but their unregulated and unauthorized usage carries serious consequences that need to be addressed with extreme vigil and Caution. This paper makes a case for India to play a more proactive role in shaping global norms around the use of drones, as the evolution of these technologies could create an impact on the country's security in multiple ways.

Keywords: *Technology, Security, Consequences, Evolution.*

I. THE STRIKING DOWN OF USE OF DRONES IN J&K

In the pre historic period Weapons and Stones were the only innovations and the drastic changes from bows and arrows to gun, armory and rifles emerged in the 19th century and followed by bombs, nuclear missiles with devastating² characters, continental and intercontinental missiles in the 20st century . The changes in the National security, Cyber weapons have changed in the two decades and advanced weapons systems in the war emerged in the 21st century.

The Jammu attack was the first ever offensive use of drones to target an Indian military facility. It imposed a perennial strain on the Nation which was a raging controversy, On June 27 two blast within minutes of each other damaged a building and injured 2 personnel at the technical airport first are the incidents prompted the armed forces, to step up security as top government

¹ Author is a student, India.

² Destructive, disastrous

officials and military leaders went into a huddle³ to discuss the challenge. Pakistani troops have been using drones to airdrop arms and ammunition⁴ for the militants along the International Border and Line of Control in J&K. To row over this situation, Srinagar hosted a set of strategic military installations and buildings including the headquarters of the army's chinar crops. security forces said that Pakistan-based terrorist have started using drones to smuggle arms, ammunition, against J&K.

The order issued under section 144 of CRPC said their access to decentralized airspace had to be regulated in a view of recent episodes of misuse of drones posing a threat to security infrastructure, as reported by media and other reliable sources. The district magistrate has imposed restrictions or ban on the storage, sale, transport of drones or similar kinds of unmanned aerial vehicles in the city. Since they were raging controversies within the territorial jurisdiction of Srinagar concerns of breach of privacy, trespass, nuisance aroused. There was several Hullabaloo⁵ relating to this controversial issue, the stoic condition had several woes⁶ arising out of it, there was a decisive turn for this, the order directed those processing drone cameras or other similar kinds of unmanned aerial vehicles to deposit them at local police stations. The administration cautioned that any violation of those guidelines would attract penal sanction and has directed the Police to implement such restrictions further.

The incident of Indian Air Force personnel affected an injured by the drone attack is still in our minds and is condemnable. Similar instances where two explosives, and suspicious sightings of UAV's triggering a security alert. in order to secure the aerial space near vital installations and highly populated area, it is imperative for us to discontinue the use of drones in all social and cultural gatherings in order to avoid any risk of detrimental⁷ effect on life and property of people.

II. CONSEQUENCES OF UNAUTHORIZED USAGES OF DRONES IN INDIA

The investigators are on a point to bring the fact that in order to levy⁸ penal consequences against rule breakers it's really a herculin task and can be quite exasperating. Since there is no physical evidence to sketch any loop holes or any legal snaps for its scientific detection it creates a burden on the cops in discharging their functions at the time of investigation. Drones leave no evidence or any DNA sketches like a procedure followed in every criminal matters ,

³ Crowd, gathering

⁴ Expendable weapons eg :bombs, missles etc

⁵ Fuss, commotion

⁶ Misery, sorrow

⁷ Harmful ,injurious

⁸ Impose, charge

for example leaving a footprints or digital signatures behind. Drones hold an appeal for criminals because they are difficult to find, trace and interpret. Police officers at the time of investigation finds it troublesome to trace and accesses such drones which is really challenging . It is found that an industrial drone could carry 2.5 KG of marijuana or ganga or any forms across the territory. Drones despite creates an eavesdrop on conversations using audio sensors. Criminals with antecedents or with an illicit motive could hoodwink drones to breach No fly zones or scan strategic locations. Rulebreakers good kit drones out with crude explosives and drop the payload on the targets remotely. The state Police had banned use of unregistered usages of drones in the year of 2019. Drones are strictly restricted and banned from airspaces and crowds. But these polices went retrograded ⁹and continued to remain stamped on the paper till now. A large amount of people operates unregistered and unauthorized drones for their amateur purposes.

III. THE EVOLUTION OF DRONES IN INDIA

There have been several incidents in the past few years that shows the dangers of unregulated use of drones offering a huge threat to the Nation and towards the Public At large. Despite the near-blanket ban on drones, there has been a worryingly high number of sightings of UAVs in different areas across the country, which further highlights the need for effective regulations to be enforced at the earliest. India must lay out a policy framework that would address the regulatory, legal, licensing and liability issues around the use of drones. The first use of unmanned aircraft was in the 1800s, when bomb-filled balloons were shipped out over Italy by the Austrian army. Almost a century later, technology had advanced considerably and the first technological drones were used for target practice. Throughout World War I and II, pilot less missiles were developed by the US and numerous nations across Europe. Drones serve significantly a better utility towards the field of science and technology ,agricultural and Environmentalism conservations, for mapping and to survey information, to mitigate disasters occurring in any places.

IV. USES AND PURPOSES OF DRONES IN DIFFERENT FIELDS

(A)Drones are used in the field of agriculture and farming

Drones have been used extensively in the field of Agriculture. Drones have been well equipped in themselves in setting up things very quickly and fast creating easement for farmers to get the routine information whenever they want, so that it saves a lot of time and efforts. Drones

⁹ Directed to move backwards

are proven to be beneficial in collecting data related to crop yields, land and management of building, inspection of livestock conditions, ensuring the soil quality, greater crop yielding in future, maintaining the nutrient measurements, weather and rainfall results. Moreover, drones may perform this evaluation at low expense without impacting the environment or the fields, Spraying pesticides, scare away crop-eating birds, insects, and perform other jobs, They play crucial role in crop monitoring, agriculture mapping, land auditing etc.

(B) Drones are used as lifeguards and Rescue missions

The uses of drones extend both nationally and internationally, China uses drones for quicker actions in earthquake-hit regions hoping to reach more survivors in time. Africa is also uses drones to reach people in disaster struck areas. Depending on the scale of operations Rescue missions, search and seizure are being operated, drones also take the help of infrared sensors to look for humans or life-forms. This is why more governments are beginning to embrace drone technology. They have being increasingly used in advanced technological aspects of human life.

(C) Drones are Used immensely in the field of filming

Drones also have the ability to reach areas which are otherwise unreachable for humans. Drones provide a new perspective in the field of filming, videography and photography. The 2016 Rio Olympic Games used drones for photographing and filming many major events.

(D) Drones are used popularly In the field of medicine

Recently History was made when a first ever organ transplantation was delivered by unmanned aircrafts in the university of Maryland Medical center when a kidney was transported by a specially-made drone from one hospital in Maryland to the next in just under five minutes.

Which was marked to most successful and speculative moment of drones which proved their efficiency in the field of medicine. Drones do answer the queries as to whether drones can be used to deliver organs in the process of Transplantation in the field of medicines, their active role in delivering medicinal supplies to disaster affected or to large terrains of atrocities.

V. PENAL PROVISIONS AND RELEVANT SECTIONS INVOKED FOR IMPOSING PUNISHMENTS FOR ILLEGAL FLIGHTS OF DRONES IN INDIA

- A person flying a drone without the required permissions from the concerned authorities will be committing crimes under sections 188(disobedience to order duly promulgated by public servant), 287(Negligent conduct with respect to machinery), and section 336(Acting

rashly and negligently endangering human life and personal safety of the Indian Penal Code, 1860.

- Any organization, even educational institutions, need to obtain permission before they can conduct any drone-related activities.
- The intention of the offender in causing harm is of no relevance. The fact that the person has the knowledge of the order that he is disobeying is enough to get him convicted under the above sections.
- Flying a drone also attracts section 268, which deals with public nuisance.
- Provisions of criminal trespass and violation of privacy of people as because cameras might be attached to drones to click pictures of others against their will or can be used.
- Section 287 of the IPC (Negligent conduct on machinery). It will be applicable in situations where a person is flying a drone and there occurs a technical failure because of which the drone crashes, thus causing risk to others. The punishment under this section is an imprisonment for six months with a fine of INR 1000.
- Individuals flying drone without any authorizations for e.g., without a valid license or without registration will have to burden an amount of Rs 25000, such penalties may even extend to Rs 5 lakh for drone manufacturers
- Section 336 of the IPC elucidates (Act endangering life or personal safety of others). shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both.
- Drones with a camera can be used to film people against their will or even bug them thereby causing a breach of their privacy.
- Section 319 of the IPC. A drone might cause hurt, as defined under “Whoever causes bodily pain, disease or infirmity to any person is said to cause hurt.”.

VI. CONCLUSION

India must also examine prevailing policy mechanisms in other countries to adopt their best practices as it formalizes its regulatory framework. There are various questions concerning the regulation and implementation that exist in the domain of drones. These questions need to be carefully addressed, keeping in mind the extent legal and moral principles and adapting them to the rapid technological advances to create an effective governance regime for drones in India. However, a point to be underlined is that guidelines alone are not sufficient key is ensuring implementation and compliance. Standards and norms of responsible behavior relating to drones are essential first steps in this regard.