

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:1353
ANSWERED ON:02.08.2010
CHECK ON SOFTWARE PIRACY
Singh Shri Dhananjay

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the pirated software has major share in the total software business of the country;
- (b) if so, the details thereof alongwith the steps taken/being taken by the government in this regard;
- (c) whether the Government proposes to introduce a new law to check software piracy in the country;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefore?

Answer

MINISTER OF STATE FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY(SHRI SACHIN PILOT)

- (a): There is no official estimate available to indicate the extent of software piracy and losses due to such piracy in India. However, it is believed that piracy in software industry exists as in other copyright based industry.
- (b): The steps taken by the Government to control software piracy include the following:
 - i) In India the Intellectual Property Rights (IPR) of software is covered under Copyright violations of which attract both fine and imprisonment on a mandatory basis.
 - ii) Government has set up a Copyright Enforcement Advisory Council under Ministry of Human Resource Development (the nodal Administrative Ministry), which reviews the progress of enforcement of Copyright Act and also advises on measures - both on the policy front as well as on the implementation front for its better enforcement. Special Cells for monitoring the enforcement of copyright have been set at Policy Hqrs. in the States/UTs.
 - iii) instructions have been issued to various Government Departments to only use legal copies of software.
 - iv) Government has been supporting Anti-Piracy campaign of NASSCOM.
 - v) Computer Software is exempted from Customs Duty.
 - vi) The market competition and zero custom duty on software have been instrumental in reducing the costs, thus making the products affordable and hence bringing down the piracy.
- (c),(d) and (e): No, Sir. The Indian Copyright Act 1957 as amended till 1999 (and now under review with Copyright (Amendment) Bill, 2010), IT Act 2000 as amended till 2009, Indian Penal Code, Contract law and other indirect safeguards, provide adequate protection against software piracy.