

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:4923
ANSWERED ON:13.08.2014
MARRAKESH TREATY
Antony Shri Anto ;Boianapalli Shri Vinod Kumar

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) the initiatives taken by the Government to facilitate access to published works for persons who are blind, visually impaired or otherwise print disabled;
- (b) whether there are any provisions in the law that permit the reproduction, distribution and making available of published works in accessible formats to these differently abled persons;
- (c) if so, the details thereof;
- (d) whether the India has ratified the Marrakesh treaty for this purpose; and
- (e) if so, the details thereof?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT (SMT. SMRITI ZUBIN IRANI)

(a) A Treaty to facilitate access to Published work for Persons who are Blind, Visually Impaired or Otherwise Print Disabled of the World Intellectual Property Organization (WIPO) (The Marrakesh Treaty) was signed by India on 30th April, 2014. The Marrakesh Treaty will come into force once 20 countries ratify this Treaty. India is the first country to ratify the Marrakesh Treaty on 30th June, 2014. The Government is committed to facilitate access of material to Blind, Visually Impaired or Otherwise Print Disabled Person in a barrier free environment for their development.

(b) & (c) Section 52 (1) (zb) of the Indian Copyright Act, 1957 as amended in 2012 (Act No. 27 of 2012) w.e.f. 21st June 2012, allows adaption, reproduction, issues of copies or communication to the public of any work in any accessible format, by any person or any organization working to facilitate persons with disability to access to works including sharing with any person with disability of such accessible format for private or personnel use, educational purposes or research on a non profit basis. Section 31B of the Indian Copyright Act 1957 as amended in 2012, facilitates that any person working for the benefit of Persons with Disability on a profit basis or for business may apply for compulsory license before the Copyright Board to access works for Physically Disabled Persons for profitable purposes. Rule No. 76, Rule 77 and Rule 78 of Chapter XV of the Copy right Rules 2013, which facilitate Making or Adapting the work by Organisations working for the benefit of Persons with Disabilities.

(d) & (e) Yes Madam. The Government of India has ratified the Marrakesh Treaty on 30th June, 2014.