

Loss due to software piracy

1441. SHRI Y.S. CHOWDARY: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether it is a fact that software piracy rate is on rise in the country;
- (b) if so, the details thereof;
- (c) whether it is a fact that Government has lost about \$ 866 million in taxes due to software piracy in the year 2009 alone; and
- (d) if so, the steps taken/being taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) There is no official estimate available to ascertain the extent of software piracy in the country.

- (b) Does not arise.
- (c) Many of the software packages used in India are being imported. Software is exempted from basic custom duty. There is no explicit data available on financial losses arising out of software piracy.
- (d) The steps taken by the Government to curb software piracy include the following :
 - (i) Intellectual Property Rights (IPR) for software in the country is covered under Copyright Act, 1957 as amended and violations attract penal action under Section 63 of the Copyright Act.
 - (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 and implementation front for its better enforcement. Special Cells for monitoring the enforcement of copyright have been set at Police Headquarters in the States/UTs.
 - (iii) Instructions have been issued to various Government departments to use legal copies of software.
 - (iv) Zero custom duty on application software has contributed in reducing costs.
 - (v) Government is promoting Free and Open Source Software (FOSS) in e-governance applications in the country. A National Resource Centre for Free and Open Source Software (NRCFOSS) has been set up to carry out Research and Development, Human Resource Development, FOSS deployment, Support and Awareness in the country. NRCFOSS has brought out an indigenous GNU/Linux based operating system named as Bharat Operating System Solutions (BOSS) with Indian languages support.