

Copyright – The Indian Challenge

Technology today has enabled the 'print disabled' to expand their horizons far beyond what were traditionally considered within their reach. Accessible technology in the form of the various Screen Readers, Magnifiers, OCR (Optical Character Recognition) technologies and many more have made the printed word accessible.

However the 'illusive' barriers still continue to exist in what is 'possible' for the print disabled to access and what is 'permissible' as per the law. Right to Read is a fundamental right for all individuals enshrined through the various fundamental rights guaranteed within the Constitution of India as also the Persons with Disability Act, 1995 and National Policy for Persons with Disability, 2006. The Indian Copyright Act, 1957 however has yet to be amended to keep up with international standards to make this right a reality for persons with print disability in India.

Laws of over 50 countries have already been amended to bring in appropriate modifications. The international community's joint efforts are also reflected in the WIPO Treaty for Improved Access for Blind, Visually Impaired and other Reading Disabled Persons, 2008. These efforts have recognized the discrepancy between the conventional Copyright legislation and its negative impact on the print disabled community and have worked around the same.

In India the print disabled community has been actively working through various networks and organizations to secure the Right to Read for the print disabled on an equal footing as their non-disabled counterparts as also to end the Book Drought caused due to this lack of access. Some of the efforts of these struggles through the last 3 years have led to a combination of legislative and practical solutions being worked at. Where we are today can be well understood through a quick summary of the years gone by.

The DAISY Forum of India (DFI) was launched in April 2006 to collectively approach the issue of print access for the print disabled in India. Since its inception DFI today has become a strong network of over 60 leading organizations across the country. The DFI is working at creating DAISY content as well as through its Copyright and Publisher Relations committee working on bringing about the necessary legislative changes within the Indian copyright law as also establish a strong support partnership with the publishing community.

The DFI has also partnered with one of the leading international online libraries for the print disabled – Bookshare.org to bring to Indian users within its legislative constraints, the pleasures of reading. The publishing community through forging strong tie-ups and partnerships with the DFI-Bookshare.org network is making it possible to allow the print disabled the right and the pleasure of reading that the India copyright Law has to still work towards. The partnerships enable DFI to secure accessible content from the publisher for exclusive circulation and use by the print disabled persons only.

The DFI-Bookshare.org Publisher contact program in India today is proud to have some of the leading publishers on board. Some of these include, Oxford University Press, SAGE Publications, Sheth Publishers, S. Chand & Co Ltd, Zubaan Books, Himalayan Publishing House, Other India Press, Sahitya

Academy. These publishers with their foresight as well as the strong commitment of the DFI-Bookshare.org that the copyright of the works is not hampered in any way at the cost of the print disabled being permitted access, have been able to set up the DFI distribution system as well as the Booksare.org Indian portal.

Where we go forward from here is to ensure a speedy amendment to the Indian Copyright Law. A representation on behalf of the print disabled community under the banner of Publication Access Coordination Committee (PACC) is already pending with the Copyright Office since April 2006. We now need to ensure that through collective pressure this amendment sees light of the day soon. This would strengthen the existing efforts of creating accessible content libraries and widen the reach of right to read to millions of print disabled persons in the country.

With the law amendment work picking up strength the next steps are to set up a robust system of joint trusted intermediaries of all the stakeholders involved viz. the print disabled community, the publishing world and the government to create an effective service delivery mechanism where more books can be pooled in at a national level for an efficient databank of resources without compromising interests of the copyright holders.