

VIA EMAIL: [jspna-moib@nic.in](mailto:jspna-moib@nic.in)

June 22, 2020

Joint Secretary  
Ministry of Information and Broadcasting  
Room No. 552, A-Wing, Shastri Bhavan, New Delhi-11001

**Re: Comments on the Draft Registration and  
Periodicals Bill, 2019.**

Dear Sirs:

On behalf of the Software and Information Industry Association (SIIA) I am writing to express the concerns over the proposed legislation entitled “Draft Registration of Press and Periodicals Bill, 2019.

SIIA is the principal trade association of the software and information industries and represents over 800 companies that develop and market software and digital content for business, education, consumers, the Internet, and entertainment. SIIA’s members range from start-up firms to some of the largest and most recognizable corporations in the world, and one of SIIA’s primary missions is to advocate a global legal and regulatory environment that benefits the software and digital content industries. SIIA member companies are market leaders in many areas, including but by no means limited to:

- software publishing, graphics, and photo editing tools;
- business-to-business publishing
- corporate database and data processing software;
- financial trading and investing services, news, and commodities exchanges;
- internet search tools and cloud computing services;
- protection against software viruses and other malware; and
- education software and online education services.

Many of our members do business in India and around the world. They comply with the laws of the countries in which they operate. We are concerned about the breadth of the

language used in the draft, and the difficulty that our members will have in complying with it.

The legislation requires all periodicals to be registered with the government in order to be lawfully printed “in India”. (§ 6 para. (1); § 18). “Printing,” in turn, is defined as reproduction of a periodical through any technology that allows mass production of copies. (§ 2(r)). And “periodical” refers to “any publication” that is printed “on paper” and which is published and printed at regular intervals with “write-ups” on general or specialized subjects. Failure to comply with the statute’s requirements is punishable by fine.

This language can be read to sweep in every kind of publication: from databases of public records that are updated every month or every night, to news websites that are updated on a minute-by-minute basis. These publications do not merely employ editors, but a variety of technical and proprietary means to make their content compelling, accessible, and easy-to-use.

The fundamental problem with the legislation from a compliance perspective is the standardless discretion vested in the Registrar. For example, the draft permits the Registrar General to refuse registration for any reason, so long as those reasons are written down. (§ 6(5)). Similarly, in the application for registration, the periodical must furnish documents as “may be prescribed,” without any readily discernible criteria as to what those documents might be.

These kinds of uncertainties lead to an unfavorable business climate, as some of our members will be hesitant to enter the Indian market without a clear sense of what they must do to stay within the parameters of the law. That malaise would be ameliorated through the promulgation of clear, conduct-based standards that would enable our members to comply with the law and predictably engage in their publishing activities.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christy A Mohr". The signature is fluid and cursive, with the first name "Christy" written in a larger, more prominent script than the last name "Mohr".

Christopher A. Mohr

Vice President for Intellectual  
Property and General  
Counsel