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DEPARTMENT OF COMPUTER SCIENCE AND TECHNOLOGY

**COURSE NAME : 19MC003 - ESSENCE OF INDIAN
TRADITIONAL KNOWLEDGE**

III YEAR /VI SEMESTER

UNIT II – Protection of Traditional knowledge

Topic 3: Role of Government to harness TK



Roles of government in the economy:

The government

- (1) provides the legal and social framework within which the economy operates,
- (2) maintains competition in the marketplace,
- (3) provides public goods and services,
- (4) redistributes income,
- (5) corrects for externalities, and
- (6) takes certain actions to stabilize the economy.



- India is the only country in the world to have set up an institutional mechanism – the TKDL – to protect its Traditional Knowledge.
- The TKDL enables prompt and almost cost-free cancellation or withdrawal of patent applications relating to India's Traditional Knowledge
- The **Traditional Knowledge Digital Library (TKDL)** is a pioneering initiative of India, under the joint collaboration of the **Council of Scientific and Industrial Research (CSIR)** and **Ministry of Ayush**, to prevent exploitation and to protect Indian traditional knowledge at Patent Offices worldwide.
- The government or the state plays an important role in maintaining peace law and order within the economy through effective administrative system.
- The state runs defence, police and court to maintain peace and order both externally and internally.



The three main organs of the Government are-

- Legislature.
- Executive.
- Judiciary.

The basic nature of these organs is to work under the formed government and bridge the gap by maintaining peace between the civilians and the government. On a very primary note, the function of them are –

Legislature:

- The Legislative organ is responsible for the creation of the laws or the set of rules.
- The power of the legislature is in the hands of the Parliament.
- They make the laws, vote, and pass them to exercise.
- Once this process of deliberation and analysis is done the discussed verdict goes to the branch of the executive for implementation.



Executive:

- The Executive body follows the order given by the legislature and executes the law created by the legislature.
- The body also deals with the usual and regular matters of the bureaucracy of the respective states.
- The Executive system enforces the law to be followed and guards the same.

Judiciary:

- The organ of the Judiciary or the Judicial system grants punishment to the ones who violate the law or go against it.
- It is a union and the sole working body.



Indian Traditional Knowledge of Medicine

- India has a rich heritage of traditional medicine systems such as Yoga, Ayurveda, Unani, Siddha, Naturopathy and Homeopathy.
- However, much of India's traditional medicinal knowledge only existed in Sanskrit, Hindi, Arabic, Urdu and Tamil.
- These languages were neither accessible to nor understood by patent examiners working in the major patent offices to which the applications have been submitted.



How India is protecting traditional knowledge of medicine



- **AYUSH** has been made a separate Ministry.
- In 2001 India initiated formation of Traditional Knowledge Digital Library (TKDL) a database in which traditional medicinal information is digitized with accessibility in five major international languages to patent offices across the globe so that examiner may conduct a patent search to check the novelty of the invention.
- TKDL has converted and structured ancient texts into 34 million A4-sized pages and translated them into English, French, German, Japanese and Spanish the major international languages.
- Indian government has effectively licensed 200,000 local treatments as “public property” free for anyone to use but no one to sell as a “brand”.



How India is protecting traditional knowledge of medicine



- India has been trying to revive WTO talks to strengthen global norms to protect traditional knowledge from reckless patenting by corporate.
- Awareness creation among tribal about the provision of patenting traditional knowledge. Help is being provided to document their claims so as to oppose any such bio prospecting in future.
- India has signed and ratified the **Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS)**.



How India is protecting traditional knowledge of medicine



- India is the only country in the world to have set up an institutional mechanism – the TKDL – to protect its Traditional Knowledge.
- The TKDL enables prompt and almost cost-free cancellation or withdrawal of patent applications relating to India's Traditional Knowledge.
- Traditional knowledge of medicinal plant can solve many of the problems of healthcare in India by providing cheap and sustainable remedy.
- The Government should try to marketwise this knowledge, before MNC pharm companies misuse them.



India has a rich history of traditional medicinal practices that date back to thousands of years. These techniques and components have come into the light during recent times mainly due to the interest shown by multinationals to exploit the knowledge and benefit from the profits. In order to protect the knowledge from being patented, the government has indeed been striving hard.

Steps taken by Government of India to protect traditional knowledge from patent

- **Traditional Knowledge Digital Library:**

The government has established a digital library, which contains all the information about traditional medicine, the methods and techniques.

- This acts as a repository of all existing traditional methods and plays an important role in proving authenticity.

This library has prevented thousands of patents from being filed internationally and it also gives access to various patent agencies of the world so that they can cross check the genuineness of the patent.



Direct funding:

- The government has stopped funding states and other agencies for carrying out research in traditional knowledge.
- It has instead made CSIR the sole responsible institution to carry out such research.
- The funding is directly provided to CSIR.
- This will prevent research from being leaked to private pharma companies.

UNESCO intangible cultural heritage:

- The government has been successful in obtaining UNESCO recognition to traditional medicinal knowledge such as Ayurveda, Yoga, Sowa Rigpa, Unani etc.
- This has allowed India to establish link with the country of origin and prevent patenting by multinational pharma companies.



Strengthening IPR:

- IPR laws in India have been upgraded to include all type of property rights.
- The new form will have provisions for protecting traditional knowledge of cultural groups.
- The main aim will be to protect economic interests of such groups from being exploited by third party.



Thank You