

No. P-24029/56/2023-IPR-VII
Government of India
Ministry of Commerce & Industry
Department of Promotion of Industry and Internal Trade
(Copyright & Design Section)

24th July, 2023

PUBLIC NOTICE

Department of Promotion of Industry and Internal Trade (DPIIT) has received several complaints, representations, grievances from the general public as well as other stakeholders about alleged collection of royalties by the Copyright Societies for performance of musical work, communication to the public of sound recording etc. in marriage functions in contravention to letter and spirit of Section 52 (1) (za) of Copyright Act 1957.

2. It is well known that Section 52 of Copyright Act 1957 enumerates certain acts which shall not constitute an infringement of Copyright. Section 52 (1) (za) specifically mentions the performance of a literary, dramatic, or musical work or the communication to the public of such work or of a sound recording in the course of any bonafide religious ceremony or an official ceremony held by the Central Government or the State Government or any local authority, as not constituting infringement of Copyright. Religious Ceremony (for the purpose of the aforementioned clause) includes a **marriage procession and other social festivities associated with marriage**.

3. In view of above, Copyright Societies are directed to strictly refrain from entering into acts which are in contravention to Section 52 (1) (za) of Copyright Act 1957, in order to avoid any legal action. Also, the General Public is hereby cautioned to not to accede to any uncalled demands from any individual/organization/copyright society which are in violation of Section 52 (1) (za) of Copyright Act 1957.

Naveen
24/7/2023

(Naveen Kumar)

Under Secretary to Government of India

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