

## **In marriage-related functions, no need to pay copyright fees for playing soundtracks**

The Hotel and Restaurant Association of Western India (HRAWI) has initiated a campaign to raise awareness on the copyright issues faced by hospitality establishments and their patrons/guests over playing recorded music. The campaign has been launched in the wake of recent incidents that occurred in Pune when two Mumbai-based private firms extorted Rs 1.37 lakh from businessmen under the pretext of issuing them copyright licences for staging musical performances at marriage ceremonies in a star hotel.

HRAWI has met and submitted a written appeal to the Pune commissioner of police requesting him to take cognizance of the crime and register economic offence against the private agencies for extortion. As part of the campaign, the association will be meeting with the police commissioners across the western region to inform them of the ongoing illegal activities of the agencies. HRAWI has also issued circulars to its member establishments notifying them about the law.

“Wedding season is a right and lack of awareness amongst industry people, guests and the law enforcement agencies on the subject will be misused by the copyright agencies to extort money. The law is clear that wedding venues do not require to obtain a license for playing any musical or soundtracks for marriage and the related social or religious functions held at the venues,” Mr. Sherry Bhatia, president, HRAWI.

"Yet, we have received several complaints from members about certain copyright agencies trespassing into wedding events to extort large amounts of money from guests of the hotels. This illegal activity has become rampant and we want to ensure hospitality establishments across the state and also their guests are aware of the law and their rights. We have initiated the campaign to raise awareness about this issue amongst industry stakeholders and are also meeting the police to bring to their attention such unlawful activities of the agencies," he pointed out.

HRAWI has cited the notification dated August 27, 2019, issued by the Ministry of commerce and industry , notifying that all religious and marriage related functions shall be exempted from payment of copyright charges. Such functions would include all religious functions, marriage functions, engagements and receptions.

The association has also stated that section 52 of copyright act 1957 provides an exemption from payment of royalty or license fees for all religious functions including marriage procession and other social festivities associated with marriage. "These private agencies have criminal antecedents and operate just like bank recovery agents. They indulge in nefarious activities, including threatening calls to hotel managers, trespassing in wedding events and shooting under cover photos or video clips of events. They send threatening legal notices with claims running into lakhs of rupees to the hotel owners, as well as to the guests failing which they threaten to file FIR and cases against the hotel and the guests. These agencies tend to make unauthorised entries at private venues to secretly record events. They threaten hotel owners and guests with legal notices to extort money from them and such acts have been held as criminal trespass," HRAWI senior vice president MrPradeep Shetty said.

In an order dated April 15, 2018, the Bombay high court has made it clear that police authorities are required to register FIR for trespassing when any such agencies enter into private functions without any authority or permission. We are requesting the police to take cognisance of the crime and register an economic offence against these agencies that have rampantly extorted huge amounts from vulnerable hotels and guests.