



The Indian Performing Right Society Limited

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Ref.:IPRS:RN:HKOS:022:2014

2nd June 2014

To,
Central Government (Thru The Registrar of Copyrights)
Ministry of Human Resources Development
Department of Secondary & Higher Education
Jeevan Deep Building, 4th Floor,
Parliament Street,
New Delhi 110001

Dear Sir

To our utter shock and surprise we were informed by an email / letter dated 25th May 2014 from Office of Retd Justice Mukul Mudgal that an "Inquiry Officer" has been appointed in exercise of powers under Section 33 of the Copyright Act, 1957 (Act) read with Rule 50 of the Copyright Rules 2013 (Rules) under the impression that we are still a Copyright Society within the meaning of Section 2(ffd) / Chapter VII of the Act. IPRS is a company under the Company's Act limited by Guarantee and incorporated on 27th August 1969 and carried out business of licensing for the musical and literary works from 1969 onwards and later was additionally recognized as a registered copyright society in 1996 in light of amendments to copyright act in 1994.

We have been directed to inform you by Governing Council (based on legal opinion), that we are not a Copyright Society within the meaning of Section 2(ffd) of the Act. As you are aware, under the second proviso to Section 33A we were to be registered within a period of one year from the date of commencement of the Copyright (Amendment) Act, 2012. In other words, we were to be registered on or before 21.6.2013. Since, the Central Government failed to register the Indian Performing Rights Society (IPRS) as a Copyright Society, the old Registration Certificate granted to IPRS CS / 02 / Musical Work / 96 and office memo No. 4 - 1 / 96 - IC dated 27th March 1996, as also the application filed by IPRS dated 8th May 2013 is deemed to have lapsed.

Without prejudice, We have also been directed to inform you that IPRS is legally disabled from adhering to any of your conditions mentioned in your

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Member : International Confederation of Societies of Authors & Composers (CISAC)
: Copyright Enforcement Advisory Council, Ministry of Human Resource Development, Government of India.

letter/s dated 24th May 2013 and 3rd June 2013 as a pre-condition for registration of IPRS as a Copyright Society in view of court orders passed restraining us and hence not eligible to be registered as one, hence cannot be "desirous" of carrying on business as a Copyright Society.

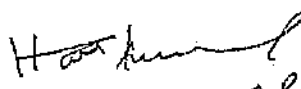
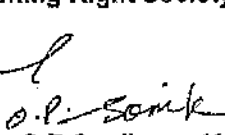
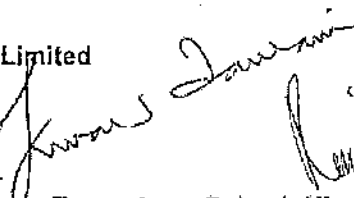
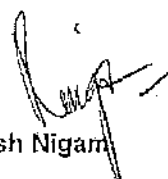
We also inform you further that without prejudice to the above, since the earlier Certificate issued to IPRS dated 27th March 1996 and the application dated 8th May 2013 is deemed to have lapsed, IPRS does not deem it necessary to withdraw the same. However, it were ever to be understood otherwise, the Certificate of Registration hereby stands surrendered and the application dated 8th May 2013 be considered as withdrawn. Be that as it may on 3rd September 2013 an Civil Court of Ludhiana ruled that IPRS is not registered copyright society under section 33 of the Copyright Act 1957.


You are aware that IPRS is not in any way funded by government nor is any public money involved or invested in IPRS. No grant or aid is granted to IPRS by the government nor does the government have any shares or equity or any other funding in IPRS.

Therefore your Order dated 27th February 2014 appointing an Inquiry Officer lacks jurisdiction and is bad in law.

Thanking you.

Yours sincerely,
The Indian Performing Right Society Limited

			
Hasan Kamaal Chairman	O.P. Sonik Director	Kumar Taurani Director	Rakesh Nigam CEO

 8/6/14

IPRS Form
Receiving
For Copyrights
Registration