

Copyright Act, 1957

Section 31 - Compulsory licence in works withheld from public.—

1) If at any time during the term of copyright in 6[any work] which has been published or performed in public, a complaint is made to the 7 [Appellate Board] that the owner of copyright in the work (a) has refused to republish or allow the republication of the work or has refused to allow the performance in public of the work, and by reason of such refusal the work is withheld from the public; or (b) has refused to allow communication to the public by 8[broadcast] of such work or in the case of a 9[sound recording] the work recorded in such 9[sound recording], on terms which the complainant considers reasonable, 7the [Appellate Board], after giving to the owner of the copyright in the work a reasonable opportunity of being heard and after holding such inquiry as it may deem necessary, may, if it is satisfied that the grounds for such refusal are not reasonable, direct the Registrar of Copyrights to grant to the complainant a licence to republish the work, perform the work in public or communicate the work to the public by 8 [broadcast], as the case may be, subject to payment to the owner of the copyright of such compensation and subject to such other terms and conditions as the 7[Appellate Board] may determine; and thereupon the Registrar of Copyrights shall grant the 10[licence to such person or persons who, in the opinion of the 7 [Appellate Board], is or are qualified to do so] in accordance with the directions of the 7[Appellate Board], on payment of such fee as may be prescribed.