

ABSTRACT

LACK OF RECOGNITION OF DIRECTORS OF FILM IN THE COPYRIGHT ACT OF 1957 AND ITS IMPLICATION

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Analysing the need for statutory recognition of the intellectual labour of directors of Indian films

The contribution of the Director is decisive in fulfilment of a film which is a copyrightable work. Director is a crucial contributor, who by all means fits into the shoes of an author as per copyright principals. However Indian copyright scheme is not recognising Director as a Co-Author of film. There is no statutory provision for a director to claim their economic and moral right. Due to this statutory vacuum, the directors will have to rely on terms of contracts to ensure their moral and economic rights. The terms of contracts between the producer and director solely depends on the bargain between the producer and the director. The win situation is determined by the strongest in bargaining power and stature. While the Copyright Act of 1957 was amended in 2012, provisions pertaining to recognition of intellectual labour of Directors of films was left out. Lack of statutory recognition leaves director with no remedy in situations where they are subjected moral and economic violations. This article is looking into the position of Indian film directors who is absolutely left out the statutory protection under the Copyright Act of 1957.

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