

COPYRIGHT PROTECTION FOR FOLK SONGS, RURAL PERFORMANCES, AND CULTURAL EXPRESSIONS IN INDIA: LEGAL CHALLENGES, GAPS, AND THE ROAD TO A SUI GENERIS FRAMEWORK

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Every country has its own culture, tradition, arts, folk music, and tribal dance. India is a diverse country having different cultural, ritual, folk music, tribal dance, traditional arts. These cultural expressions considered being the property and they are transmitted from one generation to other generation collectively, because they are collectively created. The protections of these rights are very important, nowadays such types of rights are being commercialized. Protector or creator of these rights are rural community/society, they preserves these rights from generation to generation and some multinational company/industry exploited these rights without prior consent or gave any monetary benefit. Such types of practice is unethical and against the law. Under the law no one take the benefit of other at the cost of another. In this article we examine the law for the protection of such types of rights and in this respect we examine the International and national law, particularly the copyright because such types rights most appropriately protected under copyright and also challenged face in this respect and established the sui-generis system.
