

Repealed by Act 58 of 1969, S. 2 & Sch. I (w.e.f. 26-12-60)

THE PRESS AND REGISTRATION OF BOOKS (AMENDMENT) ACT, 1955

ACT No. 55 OF 1955

[29th December, 1955]

An Act further to amend the Press and Registration of Books Act, 1867.

**BE** it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

**Short title and commencement.** 1. (1) This Act may be called the Press and Registration of Books (Amendment) Act, 1955.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**Amendment of long title.** 2. In the long title of the Press and Registration of Books Act, 1867 (hereinafter referred to as the principal Act), after the word "books" occurring in both the places, the words "and newspapers" shall be inserted. XXV of 186

**Amendment of preamble.** 3. In the preamble to the principal Act, for the words "every book printed or lithographed in India and for the registration of such books", the words "every book and newspaper printed in India and for the registration of such books and newspapers" shall be substituted.

**Amendment of section 1.** 4. In section 1 of the principal Act,—

(a) in the definition of "book", the words "or lithographed" shall be omitted;

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↓ 1-7-1956, vide notifi. nos. S.R.O. 1413-A, dt. 22-6-1956, Gazette of India, Pt. II, Sec. 3, # 1442.

(b) after the definition of "newspaper", the following definitions shall be inserted, namely:—

"paper" means any document, including a newspaper, other than a book;

"prescribed" means prescribed by rules made by the Central Government under section 20A;

"Press Registrar" means the Registrar of newspapers for India appointed by the Central Government under section 19A and includes any other person appointed by the Central Government to perform all or any of the functions of the Press Registrar;

"printing" includes cyclostyling and printing by lithography;

"Register" means the Register of newspapers maintained under section 19B.

5. Section 4 of the principal Act shall be re-numbered as sub-section (1) of that section and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:— Amendment of section 4.

"(2) As often as the place where a press is kept is changed, a new declaration shall be necessary:

Provided that where the change is for a period not exceeding sixty days and the place where the press is kept after the change is within the local jurisdiction of the Magistrate referred to in sub-section (1), no new declaration shall be necessary if—

(a) a statement relating to the change is furnished to the said Magistrate within twenty-four hours thereof; and

(b) the keeper of the press continues to be the same."

6. In section 5 of the principal Act,—

Amendment of section 5.

(a) in the declaration contained in rule (2), for the words "and printed or published, or printed and published", the words "and to be printed or published, or to be printed and published" shall be substituted;

(b) after rule (2), the following rule shall be inserted, namely:—

"(2A) Every declaration under rule (2) shall specify the title of the newspaper, the language in which it is to be published and the periodicity of its publication and shall contain such other particulars as may be prescribed."

(c) to rule (3), the following proviso shall be added, namely:—

“Provided that where the change is for a period not exceeding thirty days and the place of printing or publication after the change is within the local jurisdiction of the Magistrate referred to in rule (2), no new declaration shall be necessary if—

(a) a statement relating to the change is furnished to the said Magistrate within twenty-four hours thereof; and

(b) the printer or publisher or the printer and publisher of the newspaper continues to be the same.”;

(d) in rule (4), for the words “shall leave India”, the words “shall leave India for a period exceeding thirty days” shall be substituted;

(e) after rule (4) and before the proviso, the following rules shall be inserted, namely:—

“(5) Every declaration made in respect of a newspaper shall be void, where the newspaper does not commence publication—

(a) within six weeks of the declaration, in the case of a newspaper to be published once a week or oftener; and

(b) within three months of the declaration, in the case of any other newspaper; and in every such case, a new declaration shall be necessary before the newspaper can be published.

(6) Where, in any period of three months, any daily, tri-weekly, bi-weekly, weekly or fortnightly newspaper publishes the number of which is less than half of what should have been published in accordance with the declaration made in respect thereof, the declaration shall cease to have effect and a new declaration shall be necessary before the publication of the newspaper can be continued.

(7) Where any other newspaper has ceased publication for a period exceeding twelve months, every declaration made in respect thereof shall cease to have effect, and a new declaration shall be necessary before the newspaper can be re-published.

(8) Every existing declaration in respect of a newspaper shall be cancelled by the Magistrate before whom a new declaration is made and subscribed in respect of the same.”.

7. In section 6 of the principal Act,—

Amendment  
of section 6.

(a) after the first paragraph, the following proviso shall be inserted, namely:—

“Provided that where any declaration is made and subscribed under section 5 in respect of a newspaper, the declaration shall not, save in the case of newspapers owned by the same person, be so authenticated unless the Magistrate is satisfied from such inquiry as he thinks fit to make from the Press Registrar or otherwise that the newspaper proposed to be published does not bear a title which is the same as, or similar to, that of any other newspaper published either in the same language or in the same State.”;

(b) after the third paragraph, the following paragraph shall be inserted, namely:—

“A copy of the declaration attested by the official seal of the Magistrate shall be forwarded to the Press Registrar.”.

8. In section 8 of the principal Act,—

Amendment  
of section 8.

(a) for the first paragraph, the following paragraph shall be substituted, namely:—

“If any person has subscribed to any declaration in respect of a newspaper under section 5 and the declaration has been authenticated by a Magistrate under section 6 and subsequently that person ceases to be the printer or publisher of the newspaper mentioned in such declaration, he shall appear before any District, Presidency or Sub-divisional Magistrate, and make and subscribe in duplicate the following declaration:—

‘I, A.B., declare that I have ceased to be the printer or publisher or printer and publisher of the newspaper entitled \_\_\_\_\_.’;

(b) after the fourth paragraph, the following paragraph shall be inserted, namely:—

“A copy of the latter declaration attested by the official seal of the Magistrate shall be forwarded to the Press Registrar.”

9. In section 9 of the principal Act, the words “or lithographed” wherever they occur shall be omitted

Amendment  
of section 9.

10. After section 11A of the principal Act, the following section shall be inserted, namely:—

Insertion of  
new section  
11B.

“11B. Subject to any rules that may be made under this Act, the publisher of every newspaper in India shall deliver free of expense to the Press Registrar one copy of each issue of such newspaper as soon as it is published.”.

Copies of  
newspapers  
to be delivered  
to Press  
Registrar.

**Amendment of section 13.** 11. In section 13 of the principal Act, for the words "without making such a declaration as is required by section 4 of this Act", the words "in contravention of any of the provisions contained in section 4 of this Act" shall be substituted.

**Amendment of section 14.** 12. In section 14 of the principal Act, for the words "any declaration", the words "any declaration or other statement" shall be substituted.

**Insertion of new section 15A.** 13. After section 15 of the principal Act, the following section shall be inserted, namely:—

**Penalty for failure to make a declaration under section 8.**

"15A. If any person who has ceased to be a printer or publisher of any newspaper fails or neglects to make a declaration in compliance with section 8, he shall, on conviction before a Magistrate, be punishable by fine not exceeding two hundred rupees."

**Insertion of new section 16B.** 14. After section 16A of the principal Act, the following section shall be inserted, namely:—

**Penalty for failure to supply copies of newspapers to Press Registrar.**

"16B. If any publisher of any newspaper published in India neglects to deliver copies of the same in compliance with section 11B, he shall, on the complaint of the Press Registrar, be punishable, on conviction by a Magistrate having jurisdiction in the place where the newspaper was printed, by fine which may extend to fifty rupees for every default."

**Amendment of section 18.** 15. In section 18 of the principal Act, in item (12) of the particulars, for the words "or lithographed", the words "cyclostyled or lithographed" shall be substituted.

**Insertion of new Part VA.** 16. After Part V of the principal Act, the following Part shall be inserted, namely:—

#### "PART VA

##### REGISTRATION OF NEWSPAPERS

**Appointment of Press Registrar and other officers.**

19A. The Central Government may appoint a Registrar of newspapers for India and such other officers under the general superintendence and control of the Press Registrar as may be necessary for the purpose of performing the functions assigned to them by or under this Act, and may by general or special order, provide for the distribution or allocation of functions to be performed by them under this Act.

**Register of newspapers.**

19B. (1) The Press Registrar shall maintain in the prescribed manner a Register of newspapers.

(2) The Register shall, as far as may be practicable, contain the following particulars about every newspaper published in India, namely:—

- (a) the title of the newspaper;
- (b) the language in which the newspaper is published;

- (c) periodicity of the publication of the newspaper;
- (d) the name of the editor, printer and publisher of the newspaper;
- (e) the place of printing and publication;
- (f) the average number of pages per week;
- (g) the number of days of publication in the year;
- (h) the average number of copies printed, the average number of copies sold to the public and the average number of copies distributed free to the public, the average being calculated with reference to such period as may be prescribed;
- (i) retail selling price per copy;
- (j) the names and addresses of the owners of the newspaper and such other particulars relating to ownership as may be prescribed;
- (k) any other particulars which may be prescribed.

(3) On receiving information from time to time about the aforesaid particulars, the Press Registrar shall cause relevant entries to be made in the register and may make such necessary alterations or corrections therein as may be required for keeping the register up-to-date.

19C. On receiving from the Magistrate under section 6 a copy of the declaration in respect of a newspaper, the Press Registrar shall cause relevant entries to be made in the register in respect of the newspaper and shall, as soon as practicable thereafter, issue a certificate of registration in respect of that newspaper to the publisher thereof.

Certificates of registration.

19D. It shall be the duty of the publisher of every newspaper—

Annual statement, etc., to be furnished by newspapers.

(a) to furnish to the Press Registrar an annual statement in respect of the newspaper at such time and containing such of the particulars referred to in sub-section (2) of section 19B as may be prescribed;

(b) to publish in the newspaper at such times and such of the particulars relating to the newspaper referred to in sub-section (2) of section 19B as may be specified in this behalf by the Press Registrar.

19E. The publisher of every newspaper shall furnish to the Press Registrar such returns, statistics and other information with respect to any of the particulars referred to in sub-section (2) of section 19B as the Press Registrar may from time to time require.

Returns and reports to be furnished by newspapers.

Right of access to records and documents.

19F. The Press Registrar or any gazetted officer authorized by him in writing in this behalf shall, for the purpose of the collection of any information relating to a newspaper under this Act, have access to any relevant record or document relating to the newspaper in the possession of the publisher thereof, and may enter at any reasonable time any premises where he believes such record or document to be and may inspect or take copies of the relevant records or documents or ask any question necessary for obtaining any information required to be furnished under this Act.

Annual report.

19G. The Press Registrar shall prepare, in such form and at such time each year as may be prescribed, an annual report containing a summary of the information obtained by him during the previous year in respect of the newspapers in India and giving an account of the working of such newspapers, and copies thereof shall be forwarded to the Central Government.

Furnishing of copies of extracts from register.

19H. On the application of any person for the supply of the copy of any extract from the register and on payment of such fee as may be prescribed, the Press Registrar shall furnish such copy to the applicant in such form and manner as may be prescribed.

Delegation of powers.

19I. Subject to the provisions of this Act and regulations made thereunder, the Press Registrar may delegate all or any of his powers under this Act to any officer subordinate to him.

Press Registrar and other officers to be public servants.

19J. The Press Registrar and all officers appointed under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

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Penalty for contravention of section 19D or section 19E, etc.

19K. If the publisher of any newspaper—

(a) refuses or neglects to comply with the provisions of section 19D or section 19E; or

(b) furnishes or causes to be furnished to the Press Registrar any annual statement, returns, statistics or other information which he has reason to believe to be false; or

(c) publishes in the newspaper in pursuance of clause (b) of section 19D any particulars relating to the newspaper which he has reason to believe to be false,

he shall be punishable with fine which may extend to five hundred rupees.

Penalty for improper disclosure of information.

19L. If any person engaged in connection with the collection of information under this Act wilfully discloses any information or the contents of any return given or furnished under this Act otherwise than in the execution of his duties under this Act or for the purposes of the prosecution of an offence under this Act or under the Indian Penal Code, he shall be punishable with XLV of 1860

imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.”.

17. In section 20 of the principal Act, after the words “make such rules”, the words and figures “not inconsistent with the rules made by the Central Government under section 20A” shall be inserted.

Amendment of section 20.

18. After section 20 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 20A.

“20A. (1) The Central Government may, by notification in the Official Gazette, make rules—

Power of Central Government to make rules.

(a) prescribing the particulars which a declaration made and subscribed under section 5 may contain;

(b) prescribing the manner in which copies of any declaration attested by the official seal of a Magistrate may be forwarded to the Press Registrar;

(c) prescribing the manner in which copies of any newspaper may be sent to the Press Registrar under section 11B;

(d) prescribing the manner in which a register may be maintained under section 19B and the particulars which it may contain;

(e) prescribing the particulars which an annual statement to be furnished by the publisher of a newspaper to the Press Registrar may contain;

(f) prescribing the form and manner in which an annual statement under clause (a) of section 19D, or any returns, statistics or other information under section 19E, may be furnished to the Press Registrar;

(g) prescribing the fees for furnishing copies of extracts from the register and the manner in which such copies may be furnished;

(h) prescribing the manner in which a certificate of registration may be issued in respect of a newspaper;

(i) prescribing the form in which, and the time within which, annual reports may be prepared by the Press Registrar and forwarded to the Central Government.

(2) All rules made under this section shall, as soon as practicable after they are made, be laid before both Houses of Parliament.”.

19. After section 21 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 22

“22. This Act extends to the whole of India except the State of Jammu and Kashmir.”.

Extent.