

THE



# Bombay Government Gazette

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Separate paging is given to this Part, in order that it may be filed as a separate compilation.

## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 20th December 1889:—

#### No. 16 of 1889.

*A Bill to amend Act XXV of 1867.*

WHEREAS it is expedient to amend Act XXV of 1867 (an Act for the regulation of Printing-presses and Newspapers, for the preservation of copies of books printed in British India, and for the registration of such books); It is hereby enacted as follows:

Repeal of part of preamble to Act XXV, 1867.

1. In the preamble to the said Act the word "three" is hereby repealed.

Repeal of part of section 1, Act XXV, 1867.

2. In section 1 of the said Act, in the definition of the word "Magistrate" the words "and a Justice of the Peace" are hereby repealed.

Amendment of section 6, Act XXV, 1867.

3. In section 6 of the said Act, for the words "other Court within the local limits of whose ordinary original civil jurisdiction" the words "other principal Civil Court of original jurisdiction for the place where" shall be substituted.

Substitution of new Part for Part III, Act XXV, 1867.

4. For Part III (sections 9, 10 and 11) of the said Act the following shall be substituted, namely:

"9. Printed or lithographed copies of the whole of every book which shall be printed or lithographed in British India after this Act shall come into force, together with all maps,

prints or other engravings belonging thereto, finished and coloured in the same manner as the best copies of the same shall be produced, and also of any second or subsequent edition which shall be so produced with any additions or alterations, whether the same shall be in letter-press or in the maps, prints or other engravings belonging thereto, and whether the first edition of such book shall have been produced before or after this Act shall come into force, shall, notwithstanding any agreement (if the book be published) between the printer and publisher thereof, be delivered by the printer at such place and to such officer as the Local Government shall, by notification in the official Gazette, from time to time direct, and free of expense to the Government, as follows, that is to say:

- (a) in any case, within one calendar month after the day on which any such book shall first be delivered out of the press, two such copies, and,
- (b) if within one calendar year from such day the Local Government shall so require, then within one calendar month after the

day on which such requisition shall be made on the printer, another such copy, or other such copies not exceeding two in number, as the Local Government may direct,

the copies so delivered being bound, sewed or stitched together and upon the best paper on which any copies of the book shall be printed or lithographed.

"The publisher or other person employing the printer shall, at a reasonable time before the expiration of the said month, supply him with all maps, prints and engravings finished and coloured as aforesaid, which may be necessary to enable him to comply with the requirements aforesaid.

"Nothing in the former part of this section shall apply to any periodical work published in conformity with the rules laid down in section 5 of this Act.

"10. The officer to whom a copy of a book is delivered under the last foregoing section shall give to the printer a receipt in writing therefor.

Receipt for copies delivered under last foregoing section.

"11. Of the two copies delivered pursuant to clause (a) of the first paragraph of section 9 of this Act one shall be disposed of as the Governor General of India in Council shall from time to time, by general or special order, direct, and the other shall be deposited in such public library, or be otherwise disposed of, as the Local Government shall from time to time determine.

Any copy or copies delivered pursuant to clause (b) of the said paragraph shall be transmitted to the British Museum or the Secretary of State for India, or to the British Museum and the said Secretary of State, as the case may be."

5. In sections 12, 13, 14 and 15 of the said Act the words "on conviction before a Magistrate" are hereby repealed.

Repeal of parts of sections 12, 13, 14 and 15, Act XXV, 1867.

6. For sections 16 and 17 of the said Act the following shall be substituted, namely:

Substitution of new sections for sections 16 and 17, Act XXV, 1867.

"16. If any printer of any such book as is referred to in section 9 of this Act, or of any second or subsequent edition of any such book,

Penalty for not delivering books or not supplying printer with maps.

shall neglect to deliver copies of the same pursuant to that section, he shall for every such default forfeit to the Government such sum not exceeding fifty rupees as a Magistrate having jurisdiction in the place where the book was printed may, on the application of the officer to whom the copies should have been delivered or of any person authorised by that officer in this behalf, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the copies which the printer ought to have delivered.

"If any publisher or other person employing any such printer shall neglect to supply him, in the manner prescribed in the second paragraph of section 9 of this Act, with the maps, prints or engravings which may be necessary to enable him to comply with the provisions of that section, such publisher or other person shall for every such default forfeit to the Government such sum not exceeding fifty rupees as such a Magistrate as aforesaid may, on such an application as aforesaid, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the maps, prints or engravings which such publisher or other person ought to have supplied.

"17. Any sum forfeited to the Government under the last foregoing section may be recovered, under the warrant of the Magistrate determining the sum or of his successor in office, in the manner authorised by the Code of Criminal Procedure for the time being in force, and within the period prescribed by the Indian Penal Code, for the levy of a fine under the warrant of the Magistrate imposing the fine or of his successor in office.

"All fines or forfeitures under this Part of this Act shall, when recovered, be disposed of as the Local Government shall from time to time direct."

7. In section 18 of the said Act, for the words and figure "pursuant to section 9" the words, letter and figure "pursuant to clause (a) of the first paragraph of section 9" shall be substituted.

Amendment of section 18, Act XXV, 1867.

Repeal of section 22, Act XXV, 1867.

8. Section 22 of the said Act is hereby repealed.

#### STATEMENT OF OBJECTS AND REASONS.

THE principal objects of this Bill are—

- (a) to reduce, from three to two, the number of the copies of every book which are to be delivered by the printer to the Government;
- (b) to authorise the Local Government to require the delivery of additional copies for transmission to the British Museum and the Secretary of State; and
- (c) to abrogate the rule that copies delivered under the Act shall be paid for by the Government.

Two copies of every book are required for preservation in India, and, if the book is deemed by the trustees of the British Museum and the Secretary of State to be a work which ought to be preserved in England also, additional copies are required for transmission to the Museum and the India Office.

In England the copies which are required by the Statute 5 and 6 Vict., cap. 45, to be presented to the British Museum without demand, and to the Bodleian Library at Oxford, the Public Library at Cambridge, the Faculty of Advocates at Edinburgh and Trinity College, Dublin, on demand, have to be delivered to those institutions without payment; and it appears to the Government that the time has come for requiring the presentation, without payment, of such copies as may be required by Indian law to be delivered to the order of the Local Government. When the Bill which became Act XXV of 1867 was introduced, it was feared that the obligation to pay for copies delivered might lead to extravagant demands being made on the Government, and this apprehension has been realized.

The other objects of the Bill are to repeal certain portions of the Act of 1867 which have become obsolete (sections 2, 5 and 8), to indicate the District Court as the Court in which, beyond the limits of the presidency-towns, one of the originals of the declaration made under section 5 of the Act is to be deposited (section 3) and to amend the expression of sections 16 and 17 of the Act (section 6).

*The 19th December 1889.*

(Signed) PHIL. P. HUTCHINS.

S. HARVEY JAMES,

Secretary to the Government of India.