

ACT No. XV OF 1857.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 13th June 1857.)

AN ACT to regulate the establishment of Printing Presses and to restrain in certain cases the circulation of printed books and papers.

WHEREAS it is expedient to prohibit the keeping or using of Printing Presses, types, or other materials for printing, in any part of the territories in the possession and under the Government of the East India Company, except with the previous sanction and license of Government, and under suitable provisions to guard against abuse ; and whereas it may be deemed proper to prohibit the circulation, within the said territories, of newspapers, books, or other printed papers of a particular description : It is enacted as follows :—

No Printing Press to be kept or used without the license of Government.

I. No person shall keep or use any Printing Press, or types, or other materials or articles for printing, without having obtained the previous sanction and license for that purpose of the Governor General of India in Council, or of the Executive Government of the Presidency in which such Printing Press, types, or other materials or articles for printing are intended to be kept or used, or of such other person or persons as the Governor General of India in Council may authorize to grant such sanction or license ; and any person who shall keep or use any Printing Press, or types, or other materials or articles for printing, without having obtained such license, shall be liable, on conviction before a Magistrate, to a fine not exceeding five thousand Rupees, or to imprisonment not exceeding two years, or to both.

II. If

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II. If any person shall keep or use any Printing Press, or types, or other materials or articles for printing, without such sanction or license as aforesaid, any Magistrate, within whose jurisdiction the same may be found, may seize the same, or cause them to be seized, together with any books or printed papers found on the premises, and shall dispose of the same as the Governor General of India in Council, or the Executive Government of any Presidency, or such other person as the Governor General in Council shall authorize in that behalf; may direct; and it shall be lawful for any Magistrate to issue a search-warrant for the entry and search of any house, building, or other place, in which he may have reason to believe that any such unlicensed Printing Press, types, or other materials or articles for printing are kept or used.

Power to search for and seize unlicensed Printing Presses, &c.

III. Whenever any person or persons shall be desirous of keeping or using any Printing Press, or types, or other materials or articles for printing, he or they shall apply by writing to the Magistrate within whose jurisdiction he proposes to keep or use such Printing Press or other such materials or articles as aforesaid, or to such other person as the Governor General in Council, or the Executive Government of the Presidency, or such other person as the Governor General in Council shall authorize in that behalf, may appoint for that purpose. The application shall specify the name, profession, and place of abode of the proprietor or proprietors of such Printing Press, types, or other materials or articles for printing, and of the person or persons who is or are intended to use the same, and the place where such Printing Press, types, or other materials or articles for printing are intended to be used; and such application shall be verified by the oath, affirmation, or solemn declaration of the proprietors and persons intending to keep or use such Printing Press, types, or other materials or articles for printing, or such of them as the Magistrate or other person to whom the application shall be made shall direct; and any person wilfully making a false oath, affirmation, or declaration shall be deemed guilty of perjury.

Application for license to keep Printing Press.

IV. The Magistrate shall forward a copy of such application to the Governor General in Council, or to the Executive Government of the Presidency, or to such other person as may be authorized to grant the license; and the said Governor General

Government may grant license subject to conditions, and may revoke the same.

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General in Council, or such Executive Government, or other person as aforesaid, may at his or their discretion grant such license subject to such conditions (if any) as he or they may think fit, and may also at any time revoke the same.

V. If any person or persons shall keep or use, or cause or allow to be kept or used, any such Printing Press, types, or other materials or articles for printing, contrary to the conditions upon which the license may have been granted, or after notice of the revocation of such license shall have been given to or left for him or them at the place at which the Printing Press shall have been established, he or they shall be subject to the same penalties as if no such license had been granted; and such Printing Press, types, and other materials or articles for printing may be seized and disposed of in the manner prescribed in Section II of this Act.

VI. All books and other papers, printed at a Press licensed under this Act, shall have printed legibly on them the name of the printer and of the publisher, and the place of the printing and publication thereof; and a copy of every such book or printed paper shall be immediately forwarded to the Magistrate or to such other person as the Government or other person granting the license may direct; and every person who shall print or publish any book or paper otherwise than in conformity with this provision, or who shall neglect to forward a copy of such book or paper in manner hereinbefore directed, unless specially exempted therefrom by the Governor General in Council or other person granting the license, shall be liable, on conviction before a Magistrate, to a fine not exceeding one thousand Rupees, and in default of payment to imprisonment for a term not exceeding six calendar months.

VII. The Governor General of India in Council, or the Executive Government of any Presidency, may, by Order to be published in the *Government Gazette*, prohibit the publication or circulation, within the said territories or the territories subject to the said Government, or within any particular part of the said territories, of any particular newspaper, book, or other printed paper, or any newspaper, book, or printed paper of any particular description, whether printed within the

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the said territories or not; and whoever, after such prohibition, shall knowingly import, publish, or circulate, or cause to be imported, published, or circulated, any such book or paper, shall be liable for every such offence, on conviction before a Magistrate, to a fine not exceeding five thousand Rupees, or to imprisonment not exceeding two years, or to both; and every such book or paper shall be seized and forfeited.

VIII. The word "printing" shall include lithographing. The word "Magistrate" shall include a person exercising the powers of a Magistrate, and also a Justice of the Peace; and every person hereby made punishable by a Justice of the Peace may be punished upon summary conviction.

Interpretation.

Act not to exempt compliance with Act XI of 1835.

IX. Nothing in this Act shall exempt any person from complying with the provisions of Act XI of 1835.

X. No person shall be prosecuted for any offence against the provisions of this Act, within fourteen days after the passing of the Act, without an order of the Governor General in Council, or the Executive Government of the Presidency in which the offence shall be committed, or the person authorized under the provisions of this Act to grant licenses.

Within 14 days after the passing of the Act no person shall be prosecuted without a Government order.

Duration of Act.

XI. This Act shall continue in force for one year.

