

The Jammu and Kashmir Delivery of Books and Newspapers (Public Libraries) Act, 1961

JAMMU & KASHMIR

India

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Act 13 of 1961

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The Jammu and Kashmir Delivery of Books and Newspapers (Public Libraries) Act, 1961 Act No. 13 of 1961 [Received the assent of the Sadar-i-Riyasat on 25th March, 1961 and published in Government Gazette dated 31st March, 1961.] An Act to provide for delivery of books to public libraries. Be it enacted by the Jammu and Kashmir State Legislature in the Twelfth Year of the Republic of India as follows:-

1. Short title and extent.

(1) This Act may be called the Jammu and Kashmir Delivery of books and Newspapers (Public Libraries) Act, 1961. (2) It extends to the whole of the State.

2. Definitions.

- In this Act, unless the context otherwise requires, - (a) 'book' includes every volume, part of division of a volume and pamphlet in any language, and every sheet of music, map, chart or plan separately printed or lithographed but does not include a newspaper published in conformity with the provisions of section 5 of the Jammu and Kashmir State Press and Publications Act, Svt., 1989; (b) 'newspaper' means any printed periodical work containing public news or comments on public news published in conformity with the provisions of section 5 of Jammu and Kashmir State Press and Published Act, Svt. 1989. (c) 'public libraries' means the National Library at Calcutta and any other five libraries, which may be specified by the Government by a notification in the Government Gazette.

3. Delivery of books to public libraries.

(1) Subject to any rules that may be made under this Act, but without prejudice to the provisions contained in section 26 of the Jammu and Kashmir State Press and publications Act, Svt. 1989 the publisher of every book published in the State after the commencement of this Act, shall, notwithstanding any agreement to the contrary, deliver at his own expense a copy of the book to each of the public libraries within thirty days from the date of its publication. (2) The copy so delivered to each of the public libraries shall be a copy of the whole book with all the illustrations belonging thereto, finished and coloured in the same manner as the best copies of the same and shall be bound, sewed or stitched together and on the best paper on which any of the book is printed. (3) Nothing contained in sub-section (1) shall apply to any second or subsequent edition of a book in which edition no additions alterations either in the letter press or in the maps, books prints or other engravings belonging to the book have been made, and a copy of the first or some preceding edition of which book has been delivered under this act.

4. Delivery of newspapers to public libraries.

- Subject to any rules that may be made under this Act, but without prejudice to the provisions contained in the Jammu and Kashmir State press and publications Act, Svt. 1989, the publisher of every newspaper published in the State shall deliver at his own expense one copy of each issue of such newspaper as soon as it is published to each such public library as may be notified in this behalf by the Government in the Government Gazette.

5. Receipt for books delivered.

- The person in charge of a public library (whether called a librarian or other name) or any other person authorised by him in this behalf to whom a copy of a book is delivered under section 3 shall give to the publisher a receipt in writing therefor.

6. Penalty.

- Any publisher who contravenes any provisions of this Act or of any rule made thereunder shall be punishable with fine which may extend to fifty rupees and if the contravention is in respect of a book, shall also be punishable with fine which shall be equivalent to six times the value of the book, and the Court trying the offence may direct that the whole or any part of the realised from him shall be paid by way of compensation, to the public Library, to which the book or newspaper, as the case may be, ought to have been delivered.

7. Cognizance of offences.

(1) No court shall, take cognizance of any offence punishable under this Act save on complaint made by an officer empowered in this behalf by the Government, by a general or special order. (2) No court inferior to that of a [Judicial Magistrate] [Substituted by Act XL of 1966 for 'Magistrate'.] of the First

Class shall try any offence punishable under this Act.

8. Application of Act to books and newspapers published by Government.

- This Act shall also apply to books and news papers published by or under the authority of the Government but shall not apply to books meant for official use only.

9. Power to make rules.

- The Government may, by notification in the Government Gazette, make rules to carry out the purpose of this Act.