

Press And Registration Appellate Board (Practice And Procedure) Order, 1961

UNION OF INDIA

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Rule

PRESS-AND-REGISTRATION-APPELLATE-BOARD-PRACTICE-AND-PROCEDURE-ORDER-1961

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Press And Registration Appellate Board (Practice And Procedure) Order, 1961Vide Notification G.S.R. 625, dated 20th April, 1961.

1588.

G.S.R. 625, dated 20th April, 1961.- In exercise of the powers conferred by sub-section (3) of Section 8-C of the Press and Registration of Books Act, 1867 (25 of 1867), the Appellate Board constituted under the said section hereby makes the following order to regulate its practice and procedure, namely:-

1. Short title.-

The order may be called the Press and Registration Appellate Board (Practice and Procedure) Order, 1961.

2. Definition.-

In this order,-(a)"Act" means the Press and Registration of Books Act, 1867 (25 of 1867);(b)"Board" means the Press and Registration Appellate Board constituted under Section 8-C of the Act.

3. Form of appeal .-

(1) Every appeal presented to the Board under sec. 8-C of the Act shall be in the form of a memorandum signed by the appellant and the memorandum shall be accompanied by a copy of the order appealed against. (2) The memorandum shall contain the full name and address of the appellant and shall set forth concisely the grounds of objection to the order appealed against.

4. Dismissal of time-barred appeals.-

Where the appeal is not presented within the time specified in sub-section (1) of Section 8-C of the Act and the Board is satisfied that the appellant was not prevented by sufficient cause from preferring the appeal in time, the Board may dismiss the appeal.

5. Power to call for records.-

If the appeal is not dismissed under Cl. 4, the Board shall call for the records of the case from the Magistrate against whose order the appeal has been preferred.

6. Date of hearing.-

(1) After receipt of the case, the Board shall fix a date for the hearing of the appeal. (2) A notice of the date of hearing of the appeal shall be given to the appellant and may be given to such other person as the Board may think fit.

7. Hearing of appeal.-

(1) On the date fixed for the hearing of the appeal or any other date to which the hearing of the appeal may be adjourned, the Board shall hear such persons to whom notice has been given under sub-clause (2) of Cl. 6 as are present. (2) After hearing the persons referred to in sub-clause (1) and perusing the records, the Board may decide the appeal.

8. Contents of the Order in appeal.-

The order of the Board shall be in writing, shall state briefly the grounds for the decision and shall be signed by the chairman and the other member of the Board.

9. Communication of the order.-

The order of the Board shall be communicated to the appellant, the Press Registrar and the Magistrate.

10. Representation by legal practitioners.-

The appellant and any other person to whom notice has been given under sub-clause (2) of Cl.6 may appoint a legal practitioner to appear, plead and act on his behalf before the Board.

11. Service of notice.-

A notice under this order may be issued by the Chairman of the Board or, if he so directs, by the other member of the Board, and shall be served on the person concerned,-(a)by delivering or tendering it to that person or to a legal practitioner appearing on his behalf; or(b)by registered post.