

The Punjab Special Powers (Press) Act, 1956

PUNJAB

India

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Act 38 of 1956

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The Punjab Special Powers (Press) Act, 1956 Punjab Act No. 38 of 1956 Statement of objects and Reasons. - "This Bill is designed to control the activities of the irresponsible section of our press which indulges in fostering communal disharmony. It has been sad experience of this administration that uncurbed activity of this nature can result in serious disorder which it is the duty of any State to put down. The legislation is not intended to be used as a political weapon against any individual or party, but it is directed solely against the irresponsible section of the press which indulges in dissimulation of false news and pernicious propaganda of a communal nature". Punjab Government Gazette Extraordinary, dated the 28th August, 1956. Received the assent of the President of India on the 19th October, 1956, and first published for general information in the Punjab Government Gazette (Extra-ordinary) of the 25th October, 1956. Be it enacted by the Legislature of the State of Punjab in the Seventh Year of the Republic of India as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Punjab Special Powers (Press) Act, 1956. (2) It extends to the State of Punjab. (3) It shall come into force at once.

2. Power to control publication.

(1) The State Government or any authority so authorised in this behalf if satisfied that such action is necessary for the purpose of preventing or combating any activity prejudicial to the maintenance of communal harmony affecting or likely to affect public order may, by order in writing addressed to a printer, publisher or editor, - (a) prohibit the printing or publication in any document or any class of documents of any matter relating to a particular subject or class of subjects for a specified period or in a particular issue or issues of a newspaper or periodical: Provided that no such order shall remain in force for more than two months from the making thereof [unless before the expiry of such period the State Government, by an order made in the like manner, extends it by any period not exceeding

two months at a time as it thinks fit so, however, that the total period of the original order does not exceed six months] [Added by Punjab Act No. 29 of 1960, section 2.]:Provided further that the person against whom the order has been made may within ten days of the passing of this order make a representation to the State Government, which may on consideration thereof modify, confirm and rescind the order;(b)require that any matter, covering not more than two columns, be published in any particular issue or issues of a newspaper or periodical on payment of adequate remuneration, and may while doing so, specify the period (not exceeding one week) during which and the manner in which such publication shall take place;(c)require that any matter relating to a particular subject or class of subjects, shall before publication be submitted for scrutiny by an authority appointed by the State Government in its behalf and published only in accordance with the directions given thereat.(2)In the event of disobedience of an order under this section, the State Government or the authority issuing the order may, without prejudice to the other penalty to which the person guilty of the disobedience is liable under this Act, order the seizure of all copies of any publication concerned and of any printing press or other instrument or apparatus used in the publication.

3. Power to prohibit entry into Punjab of newspapers etc.

(1)[The State Government or any authority authorised by it in this behalf, if satisfied that such action is necessary for the purpose of preventing or combating any activity prejudicial to the maintenance of communal harmony effecting or likely to affect public order, may, by order notified in the official Gazette, prohibit the bringing into Punjab of any newspaper, periodical, leaflet, or other publication] [Substituted by Punjab Act No. 40 of 1957, section 2.] :Provided that no such order shall remain in force for more than two months from the making thereof [unless before the expiry of such period the State Government, by an order made in the like manner, extends it by any period not exceeding two months at a time as it thinks fit so, however, that the total period of the original order does not exceed six months] [Added by Punjab Act No. 29 of 1960, section 2.]:Provided further that a person aggrieved by such order may, within ten days of the passing thereof, make a representation to the State Government which may on consideration thereof modify, confirm or rescind the order.(2)In the event of disobedience of an order under this section, the State Government or the authority issuing the order, may, without prejudice to the other penalty to which the person guilty of the disobedience is liable under this Act, order the seizure of all copies of any newspaper, periodical, leaflet or other publication concerned.

4. Penalty.

- Whoever contravenes, disobeys or neglects to comply with any order, made or direction given under sections 2 and 3 of this. Act, shall, on conviction, be liable to be punished with imprisonment of either description which may extend to one-year or with fine up to one thousand rupees or with both.