

The Delivery Of Books And Newspapers (Public Libraries) Act, 1954

UNION OF INDIA

India

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Act 27 of 1954

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/423Statement of Objects and Reasons.-In order to promote public libraries in India and to encourage scholarship, it is considered necessary to buildup good libraries, and for this purpose it is desired to acquire not more than four copies of books and publications in India. One set of books so acquired will be deposited in the National Library Calcutta, and the remaining three sets will be utilised for other important libraries.[20th May, 1954]An Act to provide for delivery of books [and newspapers] [Inserted by Act 99 of 1956, Section 2 (w.e.f. 29.12.1956).] to the National Library and other public libraries.Be it enacted by Parliament in the Fifth Year of the Republic of India as follows:-

1. Short title and extent .-(1) This Act may be called the Delivery of Books [and Newspapers] (Public Libraries) Act, 1954.

(2)[It extends to the whole of India except the State of Jammu and Kashmir.] [The Act has now been extended to the Union territories of -(a) Goa, Daman and Diu by Regulation 11 of 1962 (w.e.f. 14.1.1965). Goa is now a State; (b) Dadra and Nagar Haveli by Regulation 6 of 1963 (w.e.f. 1.7.1965); (c) Pondicherry by Regulation 7 of 1963 (w.e.f. 1.10.1965).]

2. Definitions .-In this Act, unless the context otherwise requires,-

(a)"book" includes every volume, part or 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 Press and Registration of Books Act, 1867 (25 of 1867).(aa)["newspaper" means any printed periodical work containing public news or comments on public news published in conformity with the provisions of section 5 of the Press and Registration of Books Act, 1867 (25 of 1867).](b)"public libraries" means the National Library at Calcutta and any three other [libraries] [Delhi Public Library, S.P. Mukherjee Marg, Delhi-Specified as Public Library, See Gazette of India, dated 30.1.1982, Part II, Section 3(i), p. 262, G.S.R. 106/82.] which may be specified by the Central Government in this behalf by notification in the Official Gazette.

3. Delivery of books to public libraries .-(1) Subject to any rule that may be made under this Act, but without prejudice to the provisions contained in section 9 of the Press and Registration of Books Act, 1867 (25 of 1867), the publisher of every book published in the territories to which this Act extends after the commencement of this Act, shall, notwithstanding any agreement to the contrary, deliver at his own expense a copy of the book to the National Library at Calcutta and one such copy to each of the other three public [libraries] within thirty days from the date of its publication.

(2)The copy delivered to the National Library shall be a copy of the whole book with all maps and 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 copy of the book is printed.(3)The copy delivered to any other public library shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.(4)Nothing contained in sub-section (1) shall apply to any second or subsequent edition of a book in which edition no additions or alterations either in the letter-press or in the maps, book-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.[3-A. 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 Press and Registration of Books Act, 1867 (25 of 1867), the publisher of every newspaper, published in the territories to which this Act extends, 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 Central Government in the Official Gazette.]

4. Receipt for books delivered .-The person in charge of a public library (whether called a librarian or by any 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.

5. Penalty .-Any publisher who contravenes any provision 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 the value of the book, and the Court trying the offence may direct that the whole or any part of the fine 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] [Inserted by Act 99 of 1956, Section 6 (w.e.f. 29.12.1956).] ought to have been delivered.

6. 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 Central Government by a general or special order:

(2)No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

7. [Application of Act to books and newspapers published by Government

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

8. Power to make rules .- [(1)] The Central Government may, by notification in the Official Gazette, make [rules] [See Delivery of Books (Public Libraries) Rules, 1954.] to carry out the purposes of this Act.

(2)[Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.] [Inserted by Act 4 of 2005, Section 2 and Schedule (w.e.f. 11.1.2005).]